



UNITED STATES HOUSE OF REPRESENTATIVES  
COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM  
PROPOSED COMMITTEE REPORT  
JUNE 11, 2008

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## JACK ABRAMOFF'S CONTACTS WITH WHITE HOUSE OFFICIALS

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CHAIRMAN HENRY A. WAXMAN  
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## EXECUTIVE SUMMARY

In September 2006, the Committee issued a report on the lobbying contacts between Jack Abramoff and his associates and White House officials. The report found that according to the billing records and e-mails provided by Mr. Abramoff's former firm, Greenberg Traurig, "Abramoff and his Greenberg associates had 485 lobbying contacts with White House officials between January 2001 and March 2004." The report described some of the results of these lobbying efforts, as well as instances in which the Abramoff team billed clients for meals with White House officials or offered tickets to sporting events or concerts to White House officials.

After the report was released, White House officials disavowed its findings. According to White House spokesperson Dana Perino, "The billing records that are the basis for this report are widely viewed as fraudulent. ... There is no reason why they should suddenly be viewed as credible." Another White House spokesperson, Tony Snow, asserted that Mr. Abramoff "got nothing" from his lobbying efforts. The White House asserted that its review of the issue was complete after the resignation of Susan Ralston, an aide to Karl Rove and a point of contact between Mr. Abramoff and Mr. Rove and other White House officials.

To evaluate whether the accounts in the billing records and e-mails were accurate, the Committee requested relevant documents from the White House and several other Administration agencies that the Greenberg Traurig documents indicated were relevant to lobbying initiatives of the Abramoff team. The Committee also sought testimony from seven White House officials, seven Abramoff associates, and two agency officials.

The Committee's investigation was hindered in several ways that limit the scope of the Committee's conclusions. First, six individuals, including three former White House officials, whom the Committee sought to depose or interview refused in whole or in part to answer the Committee's questions on Fifth Amendment grounds. Second, the Committee did not take the depositions of several relevant lobbyists identified in the 2006 Committee staff report, including Mr. Abramoff himself, because the Department of Justice expressed concern that congressional depositions could undermine ongoing investigations. Third, the Justice Department asked to withhold documents from the Committee out of a similar concern. Fourth, several of the individuals deposed or interviewed by the Committee asserted that they were unable to recall the specifics of some of the matters under investigation, which occurred four to seven years ago.

It is possible the investigation was also made more difficult by the fact that some White House officials may have used e-mail accounts maintained by the Republican National Committee to discuss Abramoff matters among themselves. The RNC informed the Committee that it has retained few or no e-mails for these officials for the relevant time period.

Despite these limitations, the documents and testimony obtained by the Committee confirm that Mr. Abramoff and his associates had contacts with White House officials and influenced some Administration decisions.

**Mr. Abramoff's Contact with President Bush and Other White House Officials.** The documents provided to the Committee include six photographs of Mr. Abramoff and members of his family with President Bush, each taken on different occasions. One of these photos was taken at the Old Executive Office Building, one was taken at an annual White House Hanukkah party, and the other four were taken at political receptions. In addition, the documents provided to the Committee by the White House document over 70 new contacts between Mr. Abramoff and his associates and White House officials. The documents and e-mails from White House officials also confirm over 80 of the contacts described in the Greenberg Traurig documents. The White House documents and e-mails do not corroborate 401 of the lobbying contacts described in the Greenberg Traurig documents.

**Mr. Abramoff's Reputation among White House Officials.** Senior White House officials told the Committee that White House officials held Mr. Abramoff and members of his lobbying team in high regard and solicited recommendations from Mr. Abramoff and his colleagues on policy matters. In a deposition, Matt Schlapp, who was the Director of the White House Office of Political Affairs from 2003 to 2005, told the Committee that he considered Mr. Abramoff to be a "point of information" based on "his knowledge and his experience and his judgment" and that he considered Tony Rudy, one of Mr. Abramoff's associates, to be "somebody I had great professional trust in, whose opinion I respected."

**Mr. Abramoff's Influence Inside the White House.** The documents show that Mr. Abramoff and his associates influenced some White House actions. In one instance, the Abramoff team persuaded White House officials to intervene to remove from office a State Department official, Allen Stayman, who had advocated reforms in the Northern Mariana Islands that Mr. Abramoff opposed. In one exchange, Mr. Schlapp e-mailed Monica Kladakis, the deputy associate director of presidential personnel, to ask "how do we fix this?" Ms. Kladakis responded: "I think we can do something about it, but I'm trying to figure out what is the best way to go about it. I don't want a firing scandal on our hands." Both Karl Rove, the President's top political advisor, and Stephen Hadley, the deputy National Security Advisor, were informed of Mr. Abramoff's opposition to Mr. Stayman.

**Meals and Tickets.** The White House documents corroborate that White House officials joined Abramoff team members for expensive meals and that White House officials were offered and accepted expensive tickets to sporting and entertainment events from Abramoff associates. In fact, the White House documents contain numerous examples of tickets offered to White House officials that were not reflected in the Greenberg Traurig documents.

Following the release of the Committee's September 2006 staff report, White House officials said the White House would take a "good hard look" and conduct a "thorough review" of the contacts that Mr. Abramoff had with White House officials. The Committee asked several former White House officials interviewed or deposed by the Committee whether the White House contacted them to inquire about their contacts with Mr. Abramoff. None of the White House officials asked by the Committee about this had any recollection of White House officials asking them about their contacts with Mr. Abramoff or his associates.

# I. BACKGROUND

## A. Jack Abramoff's Lobbying Practice

From 1994 to 2004, Jack Abramoff was a powerful Washington lobbyist with a sizable practice. Mr. Abramoff spent his first six years lobbying at the firm Preston Gates Ellis & Rouvelas Meed before he joined the lobbying practice of law firm Greenberg Traurig, LLC in January 2001. Mr. Abramoff brought with him a number of large clients as well as six colleagues, and was able to transform Greenberg Traurig's lobbying practice from mid-sized into the fourth-highest money-making lobbying practice in DC.<sup>1</sup>

Some of Mr. Abramoff's major clients were Indian tribes and territories, including the Saginaw Chippewa Tribe of Michigan (Saginaw Chippewa), the Coushatta Tribe of Louisiana (Coushatta), the Pueblo of Sandia of New Mexico, the Mississippi Band of Choctaw Indians (Choctaw), the Commonwealth of Northern Mariana Islands (CNMI), and Guam.<sup>2</sup> Mr. Abramoff's lobbying team at Greenberg Traurig included Neil Volz, Tony Rudy, Kevin Ring, Todd Boulanger, Shawn Vasell, and Padgett Wilson.

Neil Volz joined Mr. Abramoff's team in February 2002. Before taking that position, he served as Chief of Staff for Rep. Bob Ney and as staff director of the House Administration Committee, where Rep. Ney served as Chairman. From 1995 through 1998, Mr. Volz had been Rep. Ney's Communications Director.<sup>3</sup>

Tony Rudy was a former staffer in the leadership office of Rep. Tom DeLay. Mr. Rudy worked on Rep. DeLay's staff from 1995 through December 2000, serving first as his Press Secretary and then as his Deputy Chief of Staff.<sup>4</sup> Mr. Rudy joined Mr. Abramoff's team at Greenberg Traurig in early 2001, and worked there until July 2002.<sup>5</sup>

Kevin Ring was a premier Washington lobbyist, ranked as a "Top Rainmaker" in 2002 and 2003 as part of *The Hill* newspaper's annual ranking.<sup>6</sup> Prior to joining Mr. Abramoff's lobbying team in 2000, Mr. Ring worked for Rep. John T. Doolittle from 1993 to 1998, served as counsel on the Senate Judiciary Committee's Subcommittee on Constitution, Federalism, and Property Rights under the Chairman Senator John Ashcroft, and worked as the executive director for the Conservative Action Team, a group of House Republicans.<sup>7</sup>

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<sup>1</sup> *K Street Stumble*, National Journal (Mar. 27, 2004).

<sup>2</sup> Staff Report, House Committee on Government Reform, at 4, 6 (Sept. 29, 2006) (online at [www.oversight.house.gov/abramoff/docs/abramoff.pdf](http://www.oversight.house.gov/abramoff/docs/abramoff.pdf)) (hereinafter "Committee Staff Report").

<sup>3</sup> *Former Aide to Rep. Ney Pleads Guilty*, Washington Post (May 9, 2006) (information in Graphic *Neil Volz in Profile*).

<sup>4</sup> Criminal Information, *U.S. v. Tony C. Rudy*, No. 06-082 (D.D.C. Mar. 31, 2006). Press reports identified Rep. DeLay as the "Representative #2" named in the Criminal Information. See e.g., *Federal Probe Has Edged Closer to Texan*, Washington Post (Apr. 4, 2006).

<sup>5</sup> *Id.*

<sup>6</sup> Kevin Ring, Barnes & Thornburg L.L.P. Biography (online at [www.btlaw.com](http://www.btlaw.com)) (Mr. Ring's biography has now been removed from this website).

<sup>7</sup> *Abramoff-Linked Lobbyist Resigns*, The Politico (Apr. 17, 2007).

Todd Boulanger joined Mr. Abramoff's team after working for several years in the offices of Senator Bob Smith and Rep. Bill Zeliff.<sup>8</sup> After the Abramoff scandal broke, Mr. Abramoff and Mr. Boulanger both moved to the lobbying firm Cassidy & Associates, where Mr. Boulanger currently remains as a Senior Vice President.<sup>9</sup>

Shawn Vasell spent most of his career working as a lobbyist under Mr. Abramoff, first at Preston Gates and then at Greenberg Traurig. Mr. Vasell left Mr. Abramoff's team in 2002 to serve as Senator Conrad Burns's state director in Billings, Montana, but returned to Greenberg Traurig in January 2003.<sup>10</sup>

Padgett Wilson joined Greenberg Traurig after working as an intern for Rep. Nathan Deal and a staff assistant and legislative aide for Sen. Paul Coverdell.<sup>11</sup>

## **B. The Public Corruption Scandal Surrounding Jack Abramoff**

Mr. Abramoff was the central figure in an extensive public corruption scheme that has implicated public officials and lobbyists. On January 3, 2006, Mr. Abramoff pleaded guilty to conspiracy, fraud, and tax evasion. The plea agreement describes how Mr. Abramoff encouraged his Indian tribal clients to pay inflated fees to public relations specialist Michael Scanlon, while secretly Mr. Abramoff and Mr. Scanlon were splitting the profits from those excessive fees. The agreement also states that beginning in 2000, Mr. Abramoff, Mr. Scanlon, and others offered and provided a stream of things of value to public officials in exchange for a series of official acts and influence. These things of value included paying for meals, travel, tickets for entertainment and sporting events, and providing campaign contributions.<sup>12</sup>

On November 21, 2005, Mr. Scanlon pleaded guilty to being part of Mr. Abramoff's public corruption scheme. Mr. Scanlon agreed to pay restitution to the defrauded Indian tribes of more than \$19 million, his share of the fees.<sup>13</sup> Mr. Abramoff and Mr. Scanlon agreed to cooperate with the investigation of their co-conspirators in order to receive reduced sentences.<sup>14</sup>

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<sup>8</sup> Todd A. Boulanger -- Cassidy & Associates Biography, (online at [www.cassidy.com/bios/biodetail.asp?Id=103&Office=dc](http://www.cassidy.com/bios/biodetail.asp?Id=103&Office=dc)) (last visited May 28, 2008).

<sup>9</sup> Cassidy & Associates Press release, *Spring Brings New Growth to Cassidy & Associates* (Mar. 24, 2004); *Abramoff Lands Consulting Gig at Cassidy*, Roll Call (Mar. 24, 2004).

<sup>10</sup> Shawn Michael Vasell, Resume (GTG-R004009 and GTG-R004010).

<sup>11</sup> House Committee on Oversight and Government Reform, Deposition of Padgett Wilson, at 6-7 (Aug. 22, 2007).

<sup>12</sup> Plea Agreement, *U.S. v. Jack A. Abramoff*, Case No. 06-001 (D.D.C. Jan. 3, 2006).

<sup>13</sup> Department of Justice, *Former Public Relations Specialist Michael Scanlon Pleads Guilty to Corruption and Fraud Conspiracy* (Nov. 21, 2005).

<sup>14</sup> Plea Agreement, *U.S. v. Jack A. Abramoff*, Case No. 06-001 (D.D.C. Jan. 3, 2006); Department of Justice, *Former Public Relations Specialist Michael Scanlon Pleads Guilty to Corruption and Fraud Conspiracy* (Nov. 21, 2005).

On May 8, 2006, Neil Volz pleaded guilty to conspiracy to commit fraud and to violate the ban on lobbying within one year of congressional employment.<sup>15</sup> As part of his plea, Mr. Volz admitted that when he was a public official, he received a stream of things of value from Mr. Abramoff and others such as tickets to sporting events, meals, and drinks, which motivated him in part to perform official acts.<sup>16</sup> After leaving the government and becoming a lobbyist, Mr. Volz and his co-conspirators offered things of value to public officials in order to induce those officials to take favorable official actions for clients of Mr. Abramoff and Mr. Volz.<sup>17</sup> After cooperating with prosecutors, Mr. Volz was sentenced on September 12, 2007, to two years of probation and a fine of \$2,000.<sup>18</sup>

On March 31, 2006, Tony Rudy pleaded guilty to being part of the Abramoff public corruption conspiracy.<sup>19</sup> Like Mr. Volz, Mr. Rudy admitted that when he was a public official he received a stream of things of value from Mr. Abramoff and others, including payments to his consulting company and tickets to sporting events and meals. Those valuable things motivated Mr. Rudy in part to perform official acts for Mr. Abramoff and his associates. When Mr. Rudy joined Mr. Abramoff's lobbying team, he in turn offered other public officials things of value to ensure favorable official actions.<sup>20</sup>

Seven other public officials have also pleaded guilty to crimes relating to their association with Jack Abramoff. These public officials include senior executive branch officials from the Department of Interior and the Department of Justice as well as a member of Congress and senior congressional staff. They pleaded guilty to crimes including conspiracy, false statements, and honest services fraud, among other crimes.

### C. White House Reaction to the Abramoff Scandal

Following Mr. Abramoff's guilty plea in January 2006, President Bush and other top White House officials issued numerous statements in response to questions about the White House's relationship with Mr. Abramoff. President Bush said, "I don't know him."<sup>21</sup> A White House spokesperson asserted that "there were only a couple of holiday receptions that he attended, then a few staff-level meetings on top of that."<sup>22</sup> Through a spokesperson, Karl Rove, Senior Advisor to the President, said, "Mr. Rove remembers they had met at a political event in the 1990s. ... Since then, he would describe him as a casual acquaintance."<sup>23</sup>

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<sup>15</sup> Plea Agreement, *U.S. v. Neil G. Volz*, Case No. 06-277 (D.D.C. May 8, 2006).

<sup>16</sup> *Id.* at Attachment A.

<sup>17</sup> *Id.* at Attachment A.

<sup>18</sup> *Former Abramoff Associate Sentenced to 2 Years' Probation*, Washington Post (Sept. 13, 2007).

<sup>19</sup> Plea Agreement, *U.S. v. Tony C. Rudy*, Case No 06-082 (D.D.C. Mar. 31, 2006).

<sup>20</sup> *Id.*

<sup>21</sup> *Bush Says He Doesn't Know Abramoff, Remember Photos Being Taken*, Knight Ridder/Tribune News Service (Jan. 27, 2006).

<sup>22</sup> The White House, *Press Briefing by Scott McClellan* (Jan. 17 2006).

<sup>23</sup> *White House: Rove Considered Abramoff 'A Casual Acquaintance'*, Associated Press (Feb. 14, 2006).

The White House refused to respond to press requests for more detailed information regarding the Abramoff team contacts. Spokesman Scott McClellan acknowledged that there were “a few staff-level meetings,” but refused to provide information about who attended those meetings or the substance of the meetings, stating “I don’t get into discussing staff-level meetings.”<sup>24</sup> When asked specifically if Karl Rove met with Mr. Abramoff, Mr. McClellan once again refused to answer, stating: “We don’t — we don’t ever tend to get into those staff-level meetings.”<sup>25</sup> Further, the White House refused to provide the press with photos that had been taken of the President and Mr. Abramoff. President Bush explained that they were withholding these photos because they believed they would be used for “pure political purposes” and “they’re not relevant to the investigation.”<sup>26</sup>

#### D. The Committee’s Investigation in the 109th Congress

In March 2006, the Committee, under then-Chairman Tom Davis and then-Ranking Member Henry A. Waxman, initiated an investigation of Mr. Abramoff and his associates in order to determine what contacts Mr. Abramoff and his team had with White House and executive branch officials. As part of the investigation, the Committee requested documents from Mr. Abramoff’s former employers, Greenberg Traurig and Preston Gates.<sup>27</sup> Greenberg Traurig provided the Committee with more than 14,300 pages of documents, including more than 6,600 pages of billing records and more than 7,700 pages of e-mails related to contacts with White House officials.<sup>28</sup>

Based on review of these documents, the Committee issued a bipartisan staff report on September 29, 2006.<sup>29</sup> The report found: “According to the [Greenberg Traurig] billing records and e-mails, Abramoff and his associates had 485 lobbying contacts with White House officials between January 2001 and March 2004.”<sup>30</sup> The contacts described in the documents included “170 meetings over meals and 16 meetings over drinks with White House officials, 156 of which Abramoff billed to his clients.”<sup>31</sup>

The Greenberg Traurig records showed that Susan Ralston in the office of Senior Advisor to the President Karl Rove was a central point of contact for the Abramoff team. Ms. Ralston was Mr.

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<sup>24</sup> The White House, *Press Briefing by Scott McClellan* (Jan. 17, 2006).

<sup>25</sup> *Id.*

<sup>26</sup> *Bush Says He Doesn’t Know Abramoff, Remember Photos Being Taken*, Knight Ridder/Tribune News Service (Jan. 27, 2006).

<sup>27</sup> Letter from Chairman Tom Davis and Ranking Minority Member Henry A. Waxman to Kevin M. Downey, Williams and Connolly, LLP, counsel for Greenberg Traurig (Mar. 2, 2006); Letter from Chairman Tom Davis and Ranking Minority Member Henry A. Waxman to Emanuel L. Rouvelas, Chairman, Preston Gates & Ellis, LLP (Mar. 2, 2006).

<sup>28</sup> Preston Gates informed the Committee that Abramoff had virtually no contact with White House officials during his tenure at the firm. Therefore, the Committee did not pursue the document request. Committee Staff Report, at 12.

<sup>29</sup> *Id.* at 12.

<sup>30</sup> *Id.* at 31.

<sup>31</sup> *Id.* at 78.

Abramoff's former assistant, who became Mr. Rove's executive assistant in February 2001.<sup>32</sup> According to the Greenberg Traurig documents, the Abramoff team had 69 lobbying contacts with Ms. Ralston, and sent and received substantive information through Ms. Ralston on matters of interest to Mr. Abramoff's clients.<sup>33</sup> In addition, the Greenberg Traurig records showed that Mr. Abramoff had seven lobbying contacts with Mr. Rove.<sup>34</sup>

The Greenberg Traurig records described a number of lobbying contacts with other White House officials. The records described 17 contacts between Mr. Abramoff's team and officials from the White House Office of Political Affairs.<sup>35</sup> According to the documents, Abramoff lobbyists had four meetings with the Director of the Office of Intergovernmental Affairs, Ruben Barrales, and 27 lobbying contacts with the Deputy Associate Director, Jennifer Farley.<sup>36</sup>

According to the billing records, the White House office that the Abramoff team lobbied the most was the Office of Legislative Affairs, with 159 instances reported. However, the billing records contain little detail about the content of these discussions and the participants in them.<sup>37</sup>

The Greenberg Traurig documents included e-mails describing 19 instances in which Abramoff lobbyists offered White House officials tickets to sporting events and concerts.<sup>38</sup> Some of the tickets described in the documents, which included floor-level seats at Wizards basketball games, ice-level seats at Capitals games, box seats at Orioles games, and seats to U2 and Bruce Springsteen concerts, had a face value of more than \$300.<sup>39</sup> In addition, the records indicated that Abramoff lobbyists billed their clients over \$24,000 for meals and drinks involving White House officials.<sup>40</sup> Some of these included meals at expensive locations such as Bistro Bis, Oceanaire, and Morton's of Chicago.<sup>41</sup> The e-mails did not show conclusively whether the White House officials attended all of the events or meals or in many cases who paid for them.

One subject considered in the Committee's September 2006 staff report was whether there was evidence that the lobbying contacts, meals, or tickets described in the billing records and e-mails influenced official White House action. According to the September 2006 report:

In lobbying the White House, the results Abramoff and his associates achieved were mixed. In advocating for appropriations matters for the Choctaw and Saginaw Chippewa tribes, the team achieved the results they were seeking. Similarly, the team had successful advocacy projects for the Coughatta and Sandia Pueblo clients. The team was

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<sup>32</sup> *Id.* at 39-42.

<sup>33</sup> *Id.* at 39-42 (discussing Ms. Ralston's provision of information to the Abramoff team regarding political appointees under consideration, National Security Council views on a proposal of interest to Mr. Abramoff, and decisions by Mr. Rove regarding political endorsements).

<sup>34</sup> *Id.* at 32.

<sup>35</sup> *Id.* at 44.

<sup>36</sup> *Id.* at 45.

<sup>37</sup> *Id.* at 46.

<sup>38</sup> *Id.* at 83.

<sup>39</sup> *Id.* at 89 (noting that in 2006, the face value of floor seats in the area where Mr. Abramoff had tickets, which was three rows behind the visitor's bench in location CC, was \$325 per ticket).

<sup>40</sup> *Id.* at 79.

<sup>41</sup> *Id.* at 79.

able to work with the White House in securing some endorsements for insular territorial officials. In other areas, such as presidential appointments and nominations, they were often not successful.<sup>42</sup>

The September 2006 report left important questions unanswered. Because the report relied solely on documents provided by Mr. Abramoff's firm, the documents told only one side of the story. The billing records, for example, only show that Mr. Abramoff billed for meetings and meals, not that those meetings and meals actually occurred. The Committee also could not determine if White House officials paid for the meals and tickets. It was also not clear whether White House officials actually took the actions reflected in the e-mails provided by Mr. Abramoff's former firm.

The White House expressed concerns about the limitations of the report's evidence. White House spokeswoman Dana Perino stated that "The billing records that are the basis for this report are widely regarded as fraudulent in how they misrepresent Mr. Abramoff's activities and level of access. ... There is no reason why they should suddenly be viewed as credible."<sup>43</sup>

After the release of the report, White House officials continued to deny that Mr. Abramoff and his team had influence on White House officials: "To the extent that there are data available, the data indicate that Jack Abramoff, when he was trying to make contact with the White House — and lobbyists do that, you know — he got nothing out of it."<sup>44</sup> Mr. Snow also asserted that White House officials were still in the midst of an internal investigation into the issues raised by the Committee's report. Mr. Snow explained: "when the people have finished taking a good hard look at it all, we'll let you know what they found out."<sup>45</sup>

Four days later, White House spokeswoman Dana Perino said that the White House had completed an investigation and that the only result that would come from the investigation was that Rove's aide Susan Ralston was tendering her resignation. Ms. Perino explained: "Our review of the House Government Reform Committee's report is complete. ... We expect nothing more after our thorough review. She recognized that a protracted discussion of these matters would be a distraction to the White House and she's chosen to step down."<sup>46</sup>

## E. The Committee's Investigation in the 110th Congress

In an attempt to answer questions left unanswered by the September 2006 report, the Committee in 2007 sought testimony from 16 individuals, including Mr. Abramoff, many of his lobbying team, and former and current White House and Administration officials. The Committee also issued requests for documents to the White House, the Department of Interior, the Department of Justice, and the Department of State, as well as a follow up request to the initial request to

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<sup>42</sup> *Id.* at 51.

<sup>43</sup> *White House Disputes Clout of Abramoff*, Chicago Tribune (Sept. 30, 2006).

<sup>44</sup> The White House, *Press Briefing by Tony Snow* (Oct. 2, 2006).

<sup>45</sup> *Id.*

<sup>46</sup> *White House Aide with Ties to Lobbyist Resigns*, Associated Press Worldstream (Oct. 6, 2006).

Greenberg Traurig. The Committee conducted eight depositions and interviews and received more than 20,000 pages of documents.<sup>47</sup>

The Committee's investigation was once again limited, this time by the Department of Justice's ongoing investigation and by witnesses indicating that they would assert their constitutional right not to incriminate themselves under the Fifth Amendment. The Committee sought depositions of Abramoff lobbying team members including Jack Abramoff, Neil Volz, Tony Rudy, Kevin Ring, Todd Boulanger, Shawn Vasell, and Padgett Wilson. Of these requests, the only Abramoff lobbyist deposed was Padgett Wilson, who while prominent in the Greenberg Traurig billing records, indicated that as Assistant Director of Government Affairs he was "basically a paralegal for the practice."<sup>48</sup>

With respect to the Abramoff team members, the Department of Justice expressed concerns about Committee depositions with Mr. Abramoff, Mr. Volz, and Mr. Rudy. In light of the Department's concerns, the Committee agreed not to pursue those depositions at this time. Mr. Ring, Mr. Boulanger, and Mr. Vasell refused to testify voluntarily before the Committee, indicating that if compelled to respond to questions they would assert their right under the Fifth Amendment to remain silent, as they all had done before the Senate Committee on Indian Affairs in 2005.<sup>49</sup>

The Committee also sought depositions from the following former White House officials who the Greenberg Traurig records indicated had contact with the Abramoff team: Susan Ralston, Executive Assistant to Karl Rove from 2001 to 2004 and Special Assistant to the President from 2005 to 2006; Ken Mehlman, Director of the White House Office of Political Affairs (OPA) from 2001 to 2003; Matt Schlapp, Deputy Director of OPA from 2001 to 2003 and Director of OPA from 2003 to 2005; Matt Kirk, Special Assistant to the President in the White House Office of Legislative Affairs — Senate from 2001 to 2004 and Deputy Assistant to the President in the same office from 2004 to 2006; Ruben Barrales, Director of the White House Office of Intergovernmental Affairs from 2001 to 2006; Jennifer Farley, Staff Assistant and then Deputy Associate Director of Office of Intergovernmental Affairs from 2001 to 2005; and Monica Kladakis, Deputy Associate Director for the White House Office of Presidential Personnel from January 2001 to October 2001 and Special Assistant to the President and Associate Director for Presidential Personnel from April 2003 to April 2005.

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<sup>47</sup> Committee staff conducted a transcribed interview of Ken Mehlman and deposed Susan Ralston, Jennifer Farley, Ruben Barrales, Matt Schlapp, Tracy Henke, Padgett Wilson, and Monica Kladakis.

<sup>48</sup> Deposition of Padgett Wilson, at 9.

<sup>49</sup> Telephone conversation between Matthew T. Reinhard, Miller & Chevalier, counsel for Kevin Ring, and majority staff (Nov. 6, 2007); Telephone Conversation between T. Mark Flanagan, Jr., McKenna Long & Aldridge, LLP, counsel for Todd Boulanger, and majority staff (June 15, 2007, and Mar. 18, 2008); Telephone conversation between Philip Inghlima, Crowell and Moring, LLP, counsel for Shawn Vasell, and majority staff (June 11, 2007) and Telephone conversation between Ashley Bailey, counsel for Shawn Vasell, and majority staff (May 26, 2008). Senate Committee on Indian Affairs, *"Gimme Five" — Investigation of Tribal Lobbying Matters*, 109th Cong. (2006) (S. Rept. 109-325).

Four of these White House officials appeared voluntarily before the Committee and answered all of the Committee's questions.<sup>50</sup> Former White House legislative affairs official Matt Kirk declined the Committee's request to testify at a deposition. According to his attorney, Mr. Kirk would have had Fifth Amendment concerns if compelled to appear.<sup>51</sup> Susan Ralston and Jennifer Farley appeared but limited the scope of the information that they were willing to provide to the Committee. Ms. Ralston and Ms. Farley both indicated that if compelled to answer certain questions they would assert their Fifth Amendment right against self-incrimination. As Ms. Ralston's counsel described, Ms. Ralston declined to respond to any questions about "the relationship between Jack Abramoff and his associates and White House officials, including Ms. Ralston."<sup>52</sup> Ms. Farley's attorney told the Committee that Ms. Farley would not respond to questions on the following subjects: "First, what benefits she may or may not have been offered; and, two, any communications between Ms. Farley and any member of the so-called Abramoff team."<sup>53</sup>

The Committee also deposed former Department of Justice official Tracy Henke, who had been a senior official in the Office of Justice Programs from 2001 to 2006, regarding her knowledge of the White House's influence over decisions made by that office.<sup>54</sup> In addition, the Committee sought a deposition of former Department of Justice official Robert E. Coughlin II, on the same topic. On April 22, 2008, Mr. Coughlin pleaded guilty to using his official position to provide assistance to Abramoff associates in return for his receipt of a "stream of things of value."<sup>55</sup> Following this plea, the Department of Justice expressed concern regarding the Committee's request for this deposition. Based on these concerns, the Committee did not pursue Mr. Coughlin's deposition. For similar reasons, the Justice Department objected to providing the Committee with certain documents relating to Mr. Abramoff, writing that providing a full production to the Committee would "adversely impact a pending criminal investigation."<sup>56</sup> The Committee did not insist on production of the documents that the Justice Department identified as potentially jeopardizing a criminal investigation.

Another potentially limiting factor in the Committee's inquiry was the fact that some White House officials used Republican National Committee (RNC) e-mail accounts for communications relating to Mr. Abramoff. Three of the White House officials that the Committee sought to interview or depose, Matt Schlapp, Susan Ralston, and Ken Mehlman, had

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<sup>50</sup> House Committee on Oversight and Government Reform, Deposition of Ruben Barrales (July 11, 2007); House Committee on Oversight and Government Reform, Deposition of Matt Schlapp (Aug. 27, 2007); House Committee on Oversight and Government Reform, Deposition of Monica Kladakis (Apr. 14, 2008); House Committee on Oversight and Government Reform, Transcribed Interview of Ken Mehlman (Sept. 5, 2007, and Dec. 19, 2007).

<sup>51</sup> Telephone conversations between R. Christopher Cook, Jones Day, counsel for Matthew Kirk, and Majority Staff (Oct. 1, 2007, and May 21, 2008).

<sup>52</sup> House Committee on Oversight and Government Reform, Deposition of Susan Ralston, statement by Bradford A. Berenson, Sidley Austin, LLP, counsel for Susan Ralston, at 8 (May 10, 2007).

<sup>53</sup> House Committee on Oversight and Government Reform, Deposition of Jennifer Farley, statement by Joseph J. Aronica, Duane Morris, LLP, counsel for Jennifer Farley, at 6 (Jan. 9, 2008).

<sup>54</sup> House Committee on Oversight and Government Reform, Deposition of Tracy Henke (June 20, 2007).

<sup>55</sup> U.S. Attorney's Office for the District of Maryland, *Former Department of Justice Official Pleads Guilty to Conflict of Interest Regarding Lobbying Matters* (Apr. 22, 2008).

<sup>56</sup> Letter from Brian A. Benczkowski, Principal Deputy Assistant Attorney General, to Chairman Henry A. Waxman (Oct. 26, 2007).

RNC e-mail accounts.<sup>57</sup> Other White House officials who communicated with Mr. Abramoff or his associates also had RNC e-mail accounts.<sup>58</sup> The e-mails that these officials sent to or received from Abramoff associates through their RNC e-mail accounts were likely stored on Greenberg Traurig servers and produced to the Committee. For example, the Greenberg Traurig production included numerous e-mails sent to or from the RNC account of Susan Ralston.<sup>59</sup> The Greenberg Traurig production, however, would not have included e-mails, if any, that these White House officials used to communicate among themselves, with other White House officials with RNC accounts, or with anyone else who did not use a White House or Greenberg Traurig server. The RNC has informed the Committee that it did not preserve e-mail records for Mr. Schlapp, Mr. Mehlman, and other White House officials for the relevant time periods.<sup>60</sup> According to the RNC, it did preserve significant e-mails for Susan Ralston starting in early 2003.<sup>61</sup>

## II. FINDINGS

The testimony and documents obtained by the Committee following the September 2006 Committee staff report confirm that Mr. Abramoff had access to the White House. Further, the record before the Committee contradicts White House claims that with respect to his White House contacts, Mr. Abramoff got “nothing out of it.” Not only did Mr. Abramoff achieve some positive results from his White House lobbying, but White House officials sought out the views of Mr. Abramoff and his colleagues on matters of official business.

### A. Jack Abramoff Had Access to the White House

The documents and testimony gathered by the Committee since releasing the September 2006 report confirm that White House officials had lobbying contacts with Mr. Abramoff and his team. In fact, the e-mails and other documents provided to the Committee by the White House describe over 70 additional contacts between Mr. Abramoff’s team and White House officials, the majority of which appeared to involve lobbying.<sup>62</sup>

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<sup>57</sup> Letter from Robert K. Kelner, counsel to the Republican National Committee, to Chairman Henry A. Waxman (Apr. 25, 2007); Letter from Robert K. Kelner, counsel to the Republican National Committee, to Chairman Henry A. Waxman (May 8, 2007).

<sup>58</sup> See, e.g., E-mail from Barry Jackson to Neil Volz (Mar. 12, 2003) (GTG-R004877).

<sup>59</sup> See, e.g., E-mail exchange between Todd Boulanger and Susan Ralston (Feb. 21, 2002) (GTG-R001483) (in which Ms. Ralston’s e-mail address ends in “rnchq.org”).

<sup>60</sup> Letter from Robert K. Kelner, counsel to the Republican National Committee, to Chairman Henry A. Waxman (May 30, 2007).

<sup>61</sup> *Id.*

<sup>62</sup> For example, the White House documents reveal a March 25, 2002, meeting between Mr. Abramoff and Matt Schlapp (E-mail from David McMaster to Susan Ralston (Mar. 25, 2002) (HOG R003-01532) (apologizing for Schlapp missing a meeting that morning and stating “I had scheduled Matt to meet with Jack Abramoff at the Department of Interior from 9:45-10:45”)); a July 11, 2001, meeting between Mr. Schlapp and Tony Rudy (E-mail from Tony Rudy to Matt Schlapp (July 11, 2001) (HOG R003-00730)); and a February 27, 2002, meeting between Kevin Ring and Hopi tribal leaders and Ruben Barrales and Jennifer Farley (E-mail exchanges between Kevin Ring, Jennifer Farley, and Terry Miller (Feb. 27, 2002) (HOG R003-01467 to 1468), and E-mail from Kevin Ring to Jennifer Farley (Mar. 5, 2002) (HOG R003-01488)).

In addition, the White House documents and e-mails from White House officials produced by Greenberg Traurig corroborate 84 of the 485 contacts described in the Committee's September 2006 staff report.<sup>63</sup> The documents and e-mails did not corroborate 401 of the contacts described in the Greenberg Traurig report, including 154 of the 159 contacts the Greenberg Traurig documents indicated occurred with the Office of Legislative Affairs.

After Mr. Abramoff's guilty plea, President Bush explained: "I, frankly, don't even remember having my picture taken with the guy. I don't know him. ... But I can't say I didn't ever meet him."<sup>64</sup> At the time, the White House press secretary asserted that after checking, he found that Mr. Abramoff had only attended two Hanukkah receptions at the White House.<sup>65</sup> The White House did not make any statements about President Bush having contact with Mr. Abramoff outside of the White House premises.

While the Committee obtained no evidence that Mr. Abramoff ever personally lobbied the President or that the President personally directed an action in response to a request by Mr. Abramoff, the Committee did receive evidence that Mr. Abramoff met the President and was photographed with him six times. Four of the six photographs occurred at political receptions. The photos are:

- A photo of Mr. Abramoff shaking hands with President Bush taken at the President's May 9, 2001, meeting with state legislators and others in the Eisenhower Executive Office Building.<sup>66</sup>
- A photo of Mr. Abramoff, one of his children, and President Bush taken at an October 2, 2002, political reception in Baltimore, MD.<sup>67</sup>

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<sup>63</sup> For example, internal White House communications or WAVES records confirm that: Kevin Ring met with Ruben Barrales on June 5, 2001 (Choctaw Billing Records (June 5, 2001) (GTG004113-ACCT-CW); American International Center Billing Records (June 5, 2001) (GTG026233-ACCT-AIC); E-mail exchange between Susan Ralston, Ruben Barrales, and Ashley Plaxico (May 24-30, 2001) (HOG003-00584 to 586); E-mail exchange between Susan Ralston and Ruben Barrales (June 5, 2001) (HOG003-00608 to 609)); that Shawn Vasell and Tony Rudy met with Ken Mehlman at the White House on November 9, 2001 (Chitimacha Billing Records (Nov. 9, 2001) (GTG01830-ACCT-CM); Choctaw Billing Records (GTG003965-ACCT-CW); E-mail exchange between Tony Rudy, Ken Mehlman, and Katherine Marinis (Nov. 7-8, 2001) (HOG003-00992 to 998); E-mail from Katherine Marinis to Records Management@EOP (Nov. 8, 2001) (HOG003-03752); E-mail from WAVES\_CONF to Katherine Marinis (Nov. 8, 2001) (HOG003-03753 to 754)); and that Todd Boulanger met with Matt Kirk on December 6, 2002 (Saginaw Chippewa Billing Records (Dec. 6, 2002) (GTG000573-ACCT-SG); E-mail from Daniel McCarthy to Records Management@EOP (Dec. 6, 2002) (HOG003-3825); E-mail from Daniel McCarthy to Matthew Kirk (Dec. 6, 2002) (HOG003-03826 to 827)).

<sup>64</sup> *Bush Says He Doesn't Know Abramoff, Remember Photos Being Taken*, Knight Ridder/Tribune News Service (Jan. 27, 2006).

<sup>65</sup> White House, *Press Briefing by Scott McClellan* (Jan. 17 2006).

<sup>66</sup> HOG003-4175; Letter from Emmet Flood, Special Counsel to the President, to Representative Henry A. Waxman, Chairman, Committee on Oversight and Government Reform (Dec. 7, 2007).

<sup>67</sup> HOG003-4169; Letter from Emmet Flood, Special Counsel to the President, to Representative Henry A. Waxman, Chairman, Committee on Oversight and Government Reform (Dec. 7, 2007).

- A photo of four of Mr. Abramoff’s children with a member of Congress and President Bush taken at a March 12, 2002, Keep Our Majority PAC reception in Washington, DC.<sup>68</sup>
- A photo of Mr. Abramoff, one of his children, and President Bush taken at a political reception in Washington, DC, on September 24, 2002.<sup>69</sup>
- A photo of Mr. Abramoff, one of his children, and President Bush at a August 29, 2002, political dinner in Little Rock, AR.<sup>70</sup>
- A photo of Mr. Abramoff, Pam Abramoff, President Bush, and First Lady Laura Bush taken at a December 10, 2001, Hanukkah party at the White House.<sup>71</sup>

## B. Jack Abramoff Influenced Some White House Actions

Senior White House officials held Mr. Abramoff and others on his team in high regard. In a deposition, Matt Schlapp, Director of the White House Office of Political Affairs (OPA) from 2003 to 2005, testified that he considered Mr. Abramoff to be a “point of information,” based on “his knowledge and his experience and his judgment on issues surrounding politics and policy and how the town works.”<sup>72</sup> With respect to Tony Rudy, Mr. Schlapp said, “He is somebody I had great professional trust in, whose opinion I respected.”<sup>73</sup> Similarly, Ken Mehlman, Director of OPA from 2001 to 2003, stated, “Mr. Rudy is someone I knew, and believed to be a person that was honest and supportive of the President.”<sup>74</sup>

Consistent with these statements, records obtained by the Committee show that communications from Mr. Abramoff and his associates carried weight with White House officials. In some instances, White House officials took action that advanced Mr. Abramoff’s lobbying goals. Other times, White House officials reached out to Mr. Abramoff and his team to seek their views on policy matters. And the documents contain examples in which White House officials gave consideration to Mr. Abramoff’s communications in policy deliberations even though they ultimately did not take the action requested by Mr. Abramoff.

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<sup>68</sup> HOG003-4170; Letter from Emmet Flood, Special Counsel to the President, to Representative Henry A. Waxman, Chairman, Committee on Oversight and Government Reform (Dec. 7, 2007).

<sup>69</sup> HOG003-4171; Letter from Emmet Flood, Special Counsel to the President, to Representative Henry A. Waxman, Chairman, Committee on Oversight and Government Reform (Dec. 7, 2007).

<sup>70</sup> HOG003-4172; Letter from Emmet Flood, Special Counsel to the President, to Representative Henry A. Waxman, Chairman, Committee on Oversight and Government Reform (Dec. 7, 2007).

<sup>71</sup> HOG003-4174; Letter from Emmet Flood, Special Counsel to the President, to Representative Henry A. Waxman, Chairman, Committee on Oversight and Government Reform (Dec. 7, 2007).

<sup>72</sup> Deposition of Matt Schlapp, at 53.

<sup>73</sup> Deposition of Matt Schlapp, at 30.

<sup>74</sup> Transcribed Interview of Ken Mehlman, at 39 (Dec. 19, 2007).

1. **White House Officials Intervened in a State Department Decision Regarding Extending the Employment of State Department Official Allen Stayman**

One action that White House officials took at the request of Mr. Abramoff was to intervene to force the removal of a State Department official, Allen Stayman. In a previous position at the Office of Insular Affairs in the Department of the Interior, Mr. Stayman had advocated positions opposed by the Commonwealth of the Northern Mariana Islands, then a client of Mr. Abramoff. Mr. Stayman was appointed to his position at the Department of State during the Clinton Administration.

The Greenberg Traurig documents described in the September 2006 staff report indicated that the Abramoff team lobbied the White House for the removal of Allen Stayman from his position at the State Department despite the fact that Mr. Stayman's superiors at the State Department had approved the extension of his employment in June 2001.<sup>75</sup> Documents provided to the Committee by the White House and State Department, as well as testimony from White House officials, corroborate the Greenberg Traurig evidence that the White House was involved in the Stayman matter, as well as the account the Committee received from Mr. Stayman. In a recent Committee deposition, Monica Kladakis, then-Deputy Associate Director in the White House Office of Presidential Personnel (OPP), confirmed that OPP became involved in Mr. Stayman's removal after White House officials were contacted by Mr. Abramoff's team.<sup>76</sup> In a July 2001 e-mail produced by the White House, Stuart Holliday, then-Associate Director of OPP, summarized the Stayman matter as follows: "We pulled the plug on him."<sup>77</sup>

The September 2006 Committee report described Mr. Stayman's employment history as follows:

Stayman was an official in the Department of the Interior's Office of Insular Affairs during the 1990s who advocated labor reforms for the Commonwealth of the Northern Mariana Islands that Abramoff opposed on behalf of his client, which was the Commonwealth. Beginning in 1999, Stayman served in the State Department as chief negotiator for the compacts of free association then under negotiation regarding the Marshall Islands and the Federated States of Micronesia. Stayman was serving in a position ... in which government officials are hired for renewable one-year terms to focus on a particular task. Stayman submitted the required paperwork for a third term in early 2001 with the support of his superiors at the State Department. According to Stayman, the compact negotiations for which he had been hired were expected to be completed within the next two years....

Stayman says that in May or June 2001, sometime after he had filed his paperwork to extend his tenure, his superior at the Department of State, who was among those who had approved Stayman's application for an extension, informed Stayman that politics had been brought into the decision, which Stayman took to mean White House involvement,

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<sup>75</sup> See Committee Staff Report, at 64-66.

<sup>76</sup> Deposition of Monica Kladakis, at 13-26.

<sup>77</sup> E-mail from Stuart Holliday to Jack Oliver (July 6, 2001) (HOG003-03999-4000).

and as a result Stayman's appointment would not be renewed. He said that the State Department then negotiated a transition period of four months to enable him to train a replacement.<sup>78</sup>

Greenberg Traurig documents indicated that White House officials intervened in the decision about Mr. Stayman's tenure at the State Department after being contacted by the Abramoff team, and that Mr. Stayman was removed from his position. These documents included a January 29, 2001, report by Tony Rudy to his colleague that Ken Mehlman said he would get Mr. Stayman "fired."<sup>79</sup>

The new documents obtained by the Committee provide additional detail as to what transpired regarding Mr. Stayman's employment at the State Department. According to State Department documents, in 2001 Mr. Stayman's superiors at the State Department supported extending his employment there well into 2003. In the spring of 2001, the Bureau of East Asia and Pacific Affairs created a new position for Mr. Stayman. According to a May 1, 2001, memo by James Kelly, whom President George W. Bush had appointed Assistant Secretary for the Bureau of East Asia and Pacific Affairs, the Bureau terminated the "special negotiator" position and "classified a successor position of 'Director,' Office of Compact Negotiations." In this memo, Ambassador Kelly also nominated Mr. Stayman to serve in this "Director" position, noting:

The Special Negotiator appointment was held by Mr. Allen Stayman. He is now in the midst of negotiations. Four formal sessions have been held and further sessions are scheduled for May and July. Given the state of negotiations, and Mr. Stayman's experience as the point person for the Bureau, we nominate him for appointment as Director to serve until at least November 4, 2003 (see resume attached).<sup>80</sup>

Consistent with Ambassador Kelly's memo, a Request for Personnel Action filed with an effective date of June 30, 2001, provided for a change in Mr. Stayman's title from "Special Negotiator" to "Office Director." This document states this action was approved by the Executive Resources Board on June 26, 2001, and by the Office of Personnel Management on June 29, 2001.<sup>81</sup>

The White House documents show that Mr. Abramoff, Mr. Rudy, and Kevin Ring pressed the Stayman case with White House officials. At the White House, Matt Schlapp, Monica Kladakis,

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<sup>78</sup> Committee Staff Report, at 64-66.

<sup>79</sup> E-mail exchange between Tony Rudy and Kevin Ring (Jan. 29, 2001) (GTG-R00605 to 606). The Greenberg documents also included a June 25, 2001, e-mail from Mr. Abramoff to Susan Ralston expressing concern about the Stayman matter and providing a memo on the issue that he requested she pass along to Karl Rove. E-mail from Jack Abramoff to Susan Ralston (June 25, 2001) (GTG-R00792 to 793). Mr. Abramoff followed up with a June 26, 2001, e-mail to pass along information he had received from Department of the Interior official Roger Stillwell that the State Department had approved the extension of Mr. Stayman's employment. E-mail from Jack Abramoff to Susan Ralston (June 26, 2001) (GTG-R00788). On July 9, 2001, Ms. Ralston reported back to Mr. Abramoff that the Office of Presidential Personnel and the State Department had "worked out a deal" and that Stayman would be "out in 4 months." E-mail from Susan Ralston to Jack Abramoff (July 9, 2001) (GTG-R000208); E-mail from Susan Ralston to Jack Abramoff (July 9, 2001) (GTG-R000207).

<sup>80</sup> Memo from James A. Kelly, Assistant Secretary, to Delores Everett, HR/CSP/ERPM (May 1, 2001).

<sup>81</sup> Request for Personnel Action (proposed effective date June 30, 2001).

and Susan Ralston had the most frequent communications on this issue. However, the White House discussion of Mr. Stayman's position ultimately involved Karl Rove and even reached top National Security Council staff. And in the internal White House communications about Mr. Stayman's case, White House officials repeatedly noted they would be giving status reports to Abramoff lobbyists.

On May 9, 2001, Monica Kladakis, Deputy Associate Director in the White House Office of Presidential Personnel, e-mailed Tony Rudy and said: "By the way, I have not forgotten about your concern about Alan Stayman [sic] — we just have had to work on filling our top positions before focusing on the possibly problematic people." Mr. Rudy responded, "More evidence of your greatness! Thanks."<sup>82</sup> On June 11, 2001, Mr. Rudy followed up with Ms. Kladakis, asking if there was "any news" on Mr. Stayman,<sup>83</sup> and three days later e-mailed her to provide a resume of a suggested replacement for Mr. Stayman.<sup>84</sup> On the same day, Ms. Kladakis thanked him for the resume and responded, "We're still checking this out."<sup>85</sup>

On June 18, 2001, Mr. Rudy e-mailed Matt Schlapp about the Stayman appointment, reminding Mr. Schlapp that they had spoken about the issue "a few months ago," and asking "Is there anyway [sic] you can weigh in with presidential personnel?"<sup>86</sup> The same day, Mr. Schlapp forwarded Mr. Rudy's e-mail to Monica Kladakis, asking "how do we fix this?" Ms. Kladakis replied that she was seeking information from Doug Fehrer at the Office of Personnel Management regarding whether Stayman was a career or political appointee, and said, "I think we can do something about it, but I'm trying to figure out what is the best way to go about it. I don't want a firing scandal on our hands."<sup>87</sup> Mr. Schlapp responded, "Let me know if I need to call Kay James or Doug."<sup>88</sup> Ms. Kladakis followed up with Mr. Schlapp the same day, reporting, "I just got off the phone with Doug — he's got a couple of things to look into for me but it looks good."<sup>89</sup>

On June 20, 2001, Ms. Kladakis again e-mailed Mr. Schlapp, telling him, "Good news — State is going to inform Al Stayman that his term is not going to be extended, so as of June 30 he will be gone. I will let Tony Rudy know."<sup>90</sup> Mr. Schlapp responded, "Will you let Tony know for me as well? He has talked to me about it a few times."<sup>91</sup>

Around the same time that Mr. Rudy was reaching out to Mr. Schlapp and Ms. Kladakis, Mr. Abramoff also made the case for White House intervention to Ms. Ralston. The White House documents contained a version of the June 25, 2001, e-mail exchange between Mr. Abramoff

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<sup>82</sup> E-mail exchange between Monica Kladakis and Tony Rudy (May 9, 2001) (HOG R003-00543 to 545).

<sup>83</sup> E-mail from Tony Rudy to Monica Kladakis (June 11, 2001) (HOG R003-00642).

<sup>84</sup> E-mail from Jack Abramoff to Tony Rudy forwarded to Monica Kladakis (June 14, 2001) (HOG R003-650 to 651).

<sup>85</sup> E-mail exchange between Monica Kladakis and Tony Rudy (June 14, 2001) (HOG R003-656 to 657).

<sup>86</sup> E-mail from Tony Rudy to Matt Schlapp (June 18, 2001) (HOG R003-00663).

<sup>87</sup> E-mail exchange between Matt Schlapp and Monica Kladakis (June 18, 2001) (HOG R003-3912 to 15).

<sup>88</sup> *Id.* Kay James was, and continues to serve as, Director of the Office of Personnel Management.

<sup>89</sup> E-mail exchange between Matt Schlapp and Monica Kladakis (June 18, 2001) (HOG R003-3912 to 3915).

<sup>90</sup> E-mail exchange between Monica Kladakis and Matt Schlapp (June 20, 2001) (HOG R003-03916 to 3919).

<sup>91</sup> *Id.*

and Ms. Ralston that was also in the Greenberg production. In this e-mail, Mr. Abramoff expressed concern about Mr. Stayman staying at the State Department, and provided background to Ms. Ralston on Mr. Stayman that he asked her to pass to Karl Rove.<sup>92</sup> The White House documents reveal that Ms. Ralston then forwarded Mr. Abramoff's e-mail to Matt Schlapp, asking "Do you know anything about this?," and Mr. Schlapp replied, "yes, we are all over it. This is a problem."<sup>93</sup>

The White House documents additionally show that on June 26, 2001, Mr. Abramoff sent Ms. Ralston information on a proposed replacement for Mr. Stayman. Ms. Ralston forwarded this e-mail to Mr. Schlapp, noting "Here's who Jack recommends for Stayman's spot at State." Mr. Schlapp the same day forwarded Mr. Abramoff's information to Ms. Kladakis, asking, "what about his guy?"<sup>94</sup> Ms. Kladakis responded that Ambassador Kelly had interviewed him and had concerns.<sup>95</sup>

According to the White House documents, on June 27, 2001, Kevin Ring sent Ms. Ralston a *Washington Times* column that expressed concern about the potential extension of Mr. Stayman's employment at the State Department. Ms. Ralston forwarded this e-mail to Mr. Schlapp, noting "more bad news on Stayman," and he forwarded this e-mail in turn to Ms. Kladakis.<sup>96</sup> In response, Ms. Kladakis explained that the termination of Mr. Stayman's tenure involved a four-month transition period: "Stayman was approved for a 4-month extension — our Assistant Secretary did not want a vacancy (negotiations next week) and was concerned that 3 months would not be enough since State takes 90 days on average for clearance. I've passed this on to Tony Rudy."<sup>97</sup>

On June 29, 2001, Ms. Ralston told Ms. Kladakis that a member of Congress was concerned that Mr. Stayman was not leaving until after the four-month transition period.<sup>98</sup> Ms. Kladakis responded by reiterating to Ms. Ralston the information she had provided to Mr. Schlapp regarding the Assistant Secretary's concerns about needing Mr. Stayman during the negotiations coming up the next week and ensuring sufficient time to process the clearance of his replacement.<sup>99</sup> Ms. Ralston in turn forwarded this explanation to Karl Rove on June 29, asking if she could talk with him about the matter and referencing the memo Mr. Abramoff provided.<sup>100</sup>

On July 2, 2001, Ms. Ralston e-mailed Mr. Abramoff's memo on Allen Stayman to National Security Council staff director Stephen Hadley, copying two other individuals with National

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<sup>92</sup> E-mail from Jack Abramoff to Susan Ralston (June 25, 2001) (HOG003-3926 to 3930).

<sup>93</sup> E-mail chain involving Jack Abramoff, Susan Ralston, and Matt Schlapp (June 25-26, 2001) (HOG003-3926 to 3930).

<sup>94</sup> E-mail chain involving Jack Abramoff, Susan Ralston, Matt Schlapp, and Monica Kladakis (June 26, 2001) (HOG003-3941 to 3946).

<sup>95</sup> *Id.*

<sup>96</sup> E-mail chain involving Kevin Ring, Susan Ralston, Monica Kladakis, and Matt Schlapp (June 27-28, 2001) (HOG003-3960 to 3966).

<sup>97</sup> *Id.*

<sup>98</sup> E-mail chain involving Susan Ralston, Monica Kladakis, and Karl Rove (June 29, 2001) (HOG003-3977 to 3979).

<sup>99</sup> *Id.*

<sup>100</sup> *Id.*

Security Council e-mail addresses, noting “Karl asked me to pass this email on to you.” She explained that Mr. Stayman had been provided a four-month stay at State before he was to leave, and that a member of Congress was upset, and asked what Mr. Hadley could do to help.<sup>101</sup> The documents do not reflect that Mr. Hadley took any action or responded to this e-mail. On July 5, 2001, Mr. Rove e-mailed Mr. Schlapp to ask the status of the Stayman matter.<sup>102</sup>

In his deposition with the Committee, Mr. Schlapp asserted that he remembered “vaguely working on a case that involved” Mr. Stayman,<sup>103</sup> but that he did not know whether he followed up on Tony Rudy’s June 18, 2001, e-mail request for assistance in the Stayman matter, and he did not recall talking with anyone in the Office of Presidential Personnel or anywhere else in the White House about this issue.<sup>104</sup>

Similarly, Mr. Mehlman stated that he had a very “murky recollection” of the Stayman matter, a “general recollection of yeah, there was some guy they didn’t like, but I don’t remember a lot of the specifics.”<sup>105</sup> Ms. Ralston would not address any subject concerning communications with the Abramoff team.<sup>106</sup>

In her Committee deposition, Ms. Kladakis said she believed Mr. Rudy was the person who “first brought the situation [with Mr. Stayman] to my attention,”<sup>107</sup> and she did not dispute that OPP intervened in the decision regarding Mr. Stayman’s employment at the State Department. More specifically, Ms. Kladakis said she recalled talking with Ambassador Kelly about Mr. Stayman, and that the Ambassador was “very upset at the idea of us having Stayman leave, because there would be — it takes a while to find a replacement and clear them through, you know, get security clearance, and he was — very strongly did not want us to ask him to leave after his term ended.”<sup>108</sup>

Ms. Kladakis said it was “not common” for the Office of Presidential Personnel to stop an agency personnel action from going forward where an agency official was recommending a personnel action and the Office of Personnel Management had signed off on such action.<sup>109</sup> She further testified that “very rarely” did the White House “either force someone on an assistant secretary or veto someone that the assistant secretary wanted,”<sup>110</sup> and that involvement by lobbyists in OPP conversations about hiring and firing individuals was not common.<sup>111</sup>

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<sup>101</sup> E-mail from Susan Ralston to Stephen Hadley copying Elizabeth A. Selva and Anthony K. Crawford (July 2, 2001) (HOG003-3985 to 3990).

<sup>102</sup> E-mail from Karl Rove to Matt Schlapp (July 5, 2001) (HOG003-3995 to 98).

<sup>103</sup> Deposition of Matt Schlapp, at 24.

<sup>104</sup> Deposition of Matt Schlapp, at 25-26.

<sup>105</sup> Transcribed Interview of Ken Mehlman, at 43-44 (Dec. 19, 2007).

<sup>106</sup> Deposition of Susan Ralston, at 8-11.

<sup>107</sup> Deposition of Monica Kladakis, at 23.

<sup>108</sup> Deposition of Monica Kladakis, at 24.

<sup>109</sup> Deposition of Monica Kladakis, at 26.

<sup>110</sup> Deposition of Monica Kladakis, at 26.

<sup>111</sup> Deposition of Monica Kladakis, at 26.

Ms. Kladakis stated in her deposition that the White House in the Stayman matter was “caught between our assistant secretary and congressional Republicans,” as there were Republican members of Congress who opposed the extension of Mr. Stayman’s tenure at the State Department.<sup>112</sup> The documents the White House produced to the Committee show no evidence of congressional contacts with the White House on the Stayman matter until over a week after Ms. Kladakis’s June 20, 2001, report to Mr. Schlapp that the decision had been made to remove Mr. Stayman from the State Department.<sup>113</sup> The White House documents show that while some congressional Republicans opposed Mr. Stayman, other congressional Republicans supported Mr. Stayman.<sup>114</sup>

Ms. Kladakis also stated that the Bush Administration allowed a number of deputy-level Clinton Administration appointees to stay on “in order to have some continuity and to not completely destabilize the agency,” but that “ultimately we planned to replace all of them with Bush appointees.”<sup>115</sup> In his deposition, Mr. Schlapp agreed that there was not a high volume of Clinton appointees who transitioned into the Bush Administration.<sup>116</sup>

## 2. The White House Communicated with the Abramoff Team in Considering Candidates for Political Positions in the Administration

One of the main Administration offices of interest to the Abramoff team was the Office of Insular Affairs (OIA) at the Department of the Interior, which handles issues relating to Pacific Island territories where Mr. Abramoff had clients. The Greenberg Traurig documents showed and the White House documents corroborate that the Abramoff team succeeded in obtaining information from White House officials regarding the status of the nomination process for OIA posts. In addition, the White House records and testimony of White House officials show that top White House aides solicited and considered the views of Mr. Abramoff and his associates in deliberations over OIA appointments.

One example of the Abramoff team’s access to the White House regarding the nomination process is a February 20, 2001, e-mail from Susan Ralston to Matt Schlapp to let him know that Jack Abramoff had called Karl Rove a few days earlier to discuss appointments at OIA. According to this e-mail, Mr. Abramoff had heard that Esther Kia’aina was going to be considered for a position and “wanted to let Karl know that he didn’t think this was a good idea.”

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<sup>112</sup> Deposition of Monica Kladakis, at 24.

<sup>113</sup> On June 29, 2001, Susan Ralston reported to Matt Schlapp that she had received a call from the counsel for a House Committee chairman who was “upset about Stayman at State.” E-mail chain involving Susan Ralston, Monica Kladakis, and Karl Rove (June 29, 2001) (HOGRO03-3977 to 3979).

<sup>114</sup> See, e.g., E-mail from Monica Kladakis to Matthew Schlapp (June 20, 2001) (HOGRO03-03916 to 3918) (in which, after sharing the news that the State Department was no longer going to extend Mr. Stayman’s contract, and noting that she would “let Tony Rudy know,” Ms. Kladakis states: “FYI — [a Senator] supported keeping him on (don’t know why), but [a Congressman] and many other House Republicans had serious problems with him”).

<sup>115</sup> Deposition of Monica Kladakis, at 30.

<sup>116</sup> Deposition of Matt Schlapp, at 70.

Ms. Ralston continued, “Karl asked that you return his call.”<sup>117</sup> Ms. Kia’aina was not appointed to a position at OIA.

On some occasions, White House officials initiated contact with Mr. Abramoff and his associates to solicit recommendations on nominations for Administration posts. For example, Mr. Schlapp faxed Mr. Abramoff information he had received from the Office of Presidential Personnel regarding a candidate for an OIA position.<sup>118</sup> Mr. Schlapp testified that he did not recall the specific fax, but that he did “remember interacting with [Mr. Abramoff] on these candidates.” He also said he did not recall sending resumes to any other lobbyists.<sup>119</sup>

In another example, a January 28, 2002, e-mail provided to the Committee by the White House, Mr. Schlapp asked a White House staffer, Doug Hoelscher, Political Coordinator in the Office of Political Affairs, to send Tony Rudy the resume of Jeff Crane, a candidate for a position at OIA.<sup>120</sup> He explained to Ms. Ralston the same day, “KR wants me to push Jeff Crane who used to work for Chairman Young. I told Tony to check the guy out.”<sup>121</sup> Mr. Abramoff did not support Mr. Crane and Mr. Crane did not receive the appointment.<sup>122</sup>

On a number of occasions, White House officials used information Mr. Abramoff provided in policy deliberations. For example, in September 2002, when Matt Schlapp, then-Deputy White House Political Director, asked Ms. Ralston if Karl Rove wanted “Fred Radewagon to get strong consideration” for appointment to the position of Director of OIA. Ms. Ralston replied 45 minutes later with the note, “Definitely not Radewagon. Here’s the intel I got on him.”<sup>123</sup> The rest of her e-mail quotes directly, without attribution, from an e-mail Jack Abramoff had sent her the previous month.<sup>124</sup> In this e-mail, Ms. Ralston passed on information from Mr. Abramoff to support her assertion that Mr. Rove would not support Mr. Radewagon. Mr. Radewagon did not get the appointment.

Another example concerns Mr. Abramoff’s efforts to secure an appointment for Mark Zachares as Director of OIA. E-mails provided to the Committee by the White House suggest that Mr. Rove’s office advocated Mr. Abramoff’s position as Mr. Zachares’s application moved forward. In an e-mail to Mr. Schlapp on August 6, 2001, Ms. Ralston noted, “Jack Abramoff wants to make sure someone interviews Mark Zachares who is their top priority.” Mr. Schlapp

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<sup>117</sup> E-mail from Susan Ralston to Matthew Schlapp (Feb. 20, 2001) (HOG003-00367).

<sup>118</sup> E-mail exchange between Matt Schlapp and Jack Abramoff (Jan. 10, 2002) (GTG-R006222) (discussing how Mr. Schlapp can send a fax to Mr. Abramoff); E-mail from Jack Abramoff to Allison Bozniak et al. (Jan. 11, 2002) (GTG-R006221) (describing resume Mr. Schlapp faxed him).

<sup>119</sup> Deposition of Matt Schlapp, at 35-38.

<sup>120</sup> E-mail from Matt Schlapp to Doug Hoelscher (Jan. 28, 2002) (HOG003-4124).

<sup>121</sup> E-mail from Matt Schlapp to Susan Ralston (Jan. 28, 2002) (HOG003-4125).

<sup>122</sup> See E-mail chain involving Susan Ralston, Jack Abramoff, Kevin Ring, Tony Rudy, and Michael Williams (Jan. 30, 2002) (GTG-R000043 to 44) (in which Mr. Rudy informs Mr. Abramoff, Mr. Ring, and Mr. Williams that he had a phone call with Mr. Schlapp involving the subject of OIA and Mr. Crane, and in which Mr. Abramoff subsequently tells Ms. Ralston and Mr. Ring that he believes Mr. Crane is not suitable for the position).

<sup>123</sup> E-mail exchange between Matthew Schlapp and Susan Ralston (Sept. 20, 2001) (HOG003-4045 to 4047).

<sup>124</sup> E-mail from Jack Abramoff to Susan Ralston (Aug. 22, 2001) (HOG003-00792 to 793).

responded: “he will get interviewed.”<sup>125</sup> Mr. Schlapp then forwarded this e-mail exchange to Julie Lapeyre in the Office of Presidential Personnel with the following note: “I told Susan all our folks would be interviewed.”<sup>126</sup> On November 9, 2001, internal White House e-mails indicate that, “Mark Zachares had been a push for us for a while per Karl and Susan,” and that “Karl and Susan have shown much interest in Zachares.”<sup>127</sup> Mr. Zachares was not ultimately appointed to this position.

### 3. Mr. Abramoff Influenced Decisions about Presidential Political Endorsements

Mr. Abramoff and his team also succeeded in persuading the White House to refrain from issuing a presidential endorsement of Juan Babauta, the Republican gubernatorial candidate in the Commonwealth of the Northern Mariana Islands (CNMI) in 2001, who was running against a third party candidate favored by Mr. Abramoff. According to the Greenberg Traurig documents, on October 26, 2001, Mr. Abramoff sent a memo to Mr. Mehlman arguing against an endorsement,<sup>128</sup> spoke with Mr. Mehlman over the phone about this issue in the same time frame,<sup>129</sup> and received an e-mail from Susan Ralston on October 31, 2001, stating: “You win :). KR said no endorsement.”<sup>130</sup>

The White House documents not only corroborate the Greenberg Traurig documents on this matter, but they indicate the White House took the position advanced by Mr. Abramoff despite the fact that Republican National Committee staff urged a Babauta endorsement by the President. The White House documents also provide additional information about how the White House handled contacts from Mr. Abramoff’s team on this issue.

According to the White House documents, on October 17, 2001, Mr. Rudy e-mailed Mr. Schlapp and Mr. Mehlman to request the “huge favor” that the White House refrain from endorsing Mr. Babauta, and, in a follow-up e-mail provided Mr. Schlapp with background on Mr. Babauta.<sup>131</sup> Mr. Mehlman forwarded the Rudy request to Leonard Rodriguez, who worked under Mr. Mehlman in the Office of Political Affairs, instructing, “Please advise on whether to do this or not, reaching out to the relevant people at the RNC.”<sup>132</sup> Mr. Schlapp forwarded the background from Mr. Rudy to Mr. Rodriguez.<sup>133</sup> Mr. Rodriguez then followed up with the RNC, was told that the RNC’s Western Regional Political Director “strongly recommends that Mr. Babauta

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<sup>125</sup> E-mail exchange between Susan Ralston and Matt Schlapp (Aug. 6, 2001) (HOG003-4027).

<sup>126</sup> E-mail exchange between Matt Schlapp and Julie Lapeyre (Aug. 7, 2001) (HOG003-4033 to 4035).

<sup>127</sup> E-mail exchange between Doug Hoelscher, Ken Mehlman, Matt Schlapp, and Paul Dyck (Nov. 9, 2001) (HOG003-4073 to 4074).

<sup>128</sup> E-mail from Jack Abramoff to Ken Mehlman (Oct. 26, 2001) (GTG-R001854 to 1856).

<sup>129</sup> See E-mail from Jack Abramoff to Susan Ralston (Oct. 26, 2001) (GTG-R001851 to 1852) (noting a phone conversation between Mr. Abramoff and Mr. Mehlman had occurred).

<sup>130</sup> E-mail exchange between Susan Ralston and Jack Abramoff (Oct. 31, 2001) (GTG-R001836). See also Committee Staff Report, at 62.

<sup>131</sup> E-mail exchange involving Tony Rudy, Ken Mehlman, Matt Schlapp, and Leonard Rodriguez (Oct. 17, 2001) (HOG 3882-84).

<sup>132</sup> E-mail from Ken Mehlman to Leonard Rodriguez (Oct. 17, 2001) (HOG 3885-86).

<sup>133</sup> E-mail exchange involving Tony Rudy, Ken Mehlman, Matt Schlapp, and Leonard Rodriguez (Oct. 17, 2001) (HOG 3882-84).

receive an endorsement from President Bush,” and forwarded this information to Mr. Mehlman and Mr. Schlapp.<sup>134</sup>

There is no public record of any presidential endorsement of Juan Babauta in the 2001 CNMI gubernatorial race. Mr. Mehlman was not aware of any other instance where the President refrained from endorsing the Republican gubernatorial candidate.<sup>135</sup>

When questioned about this matter by the Committee, White House officials asserted they had difficulty remembering what happened with this Abramoff request. Mr. Mehlman testified he did not know why the President didn’t issue an endorsement in the CNMI gubernatorial election.<sup>136</sup> He further stated, “I remember getting data and feedback” on the issue, but regarding conversations with Mr. Abramoff he said, “I don’t remember if I talked to him or Leonard did.”<sup>137</sup> Matt Schlapp testified that he did not have any specific recollection of discussions among White House officials regarding whether the President would endorse Mr. Babauta.<sup>138</sup>

According to Greenberg Traurig documents, Mr. Abramoff also asked Mr. Mehlman for a presidential endorsement of candidates running for office in Guam in 2002. Within two weeks of this request, Mr. Abramoff received a quote from President Bush on the candidates via Mr. Rodriguez.<sup>139</sup> In an interview with Committee staff, Mr. Mehlman did not dispute that the request occurred. When asked whether he instructed Mr. Rodriguez to provide the endorsement quote to Mr. Abramoff, he testified: “I don’t remember asking him, but I am assuming that I did.”<sup>140</sup>

#### 4. Unanswered Questions Regarding Mr. Abramoff’s White House Access and Influence

With respect to several of the lobbying initiatives discussed in the Greenberg Traurig documents, the Committee has had difficulty determining the role White House officials played in these matters because White House officials and Abramoff lobbyists identified by the relevant documents as key contacts for these issues refused to testify on these matters. For example, the Greenberg Traurig documents indicated that in July 2002 White House official Jennifer Farley may have acted on a request from Abramoff lobbyist Kevin Ring for assistance in urging a Senator to support legislation that resolved a dispute concerning the lands on the Sandia

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<sup>134</sup> E-mail chain involving Leonard Rodriguez, Andy Lei, Ken Mehlman, and Matt Schlapp (Oct. 17, 2001) (HOGR 3891-93).

<sup>135</sup> Transcribed Interview of Ken Mehlman, at 80 (Dec. 19, 2007).

<sup>136</sup> Transcribed Interview of Ken Mehlman, at 82 (Dec. 19, 2007).

<sup>137</sup> Transcribed Interview of Ken Mehlman, at 80 (Dec. 19, 2007).

<sup>138</sup> Deposition of Matt Schlapp, at 23.

<sup>139</sup> Committee Staff Report, at 61. See E-mail from Jack Abramoff to Ken Mehlman (Oct. 9, 2002) (GTG-R000984) (requesting the endorsement); E-mail from Susan Ralston to Jack Abramoff (Oct. 23, 2002) (GTG-R001001) (telling Mr. Abramoff that Mr. Mehlman had approved the Guam candidate endorsement quote); and E-mail from Leonard Rodriguez to Jack Abramoff (Oct. 23, 2002) (GTG-R002142) (providing the endorsement quote to Mr. Abramoff).

<sup>140</sup> Transcribed interview of Ken Mehlman, at 84 (Dec. 19, 2007).

Mountain.<sup>141</sup> The White House production included an e-mail from Mr. Ring to Ms. Farley on July 12, 2002, in which Mr. Ring asked Ms. Farley whether she had received feedback from staff of the Senator, Ms. Farley responds that she left a message, and Mr. Ring thanked her.<sup>142</sup> However, Ms. Farley and Mr. Ring both declined to talk with the Committee about Abramoff team contacts with the White House.<sup>143</sup>

In another example, Greenberg Traurig documents indicated that in early 2002 the Abramoff team through contacts with Susan Ralston urged the White House to weigh in on the Department of the Interior's consideration of a casino compact for the Jena tribe in Louisiana that Mr. Abramoff opposed on behalf of his client. Shortly thereafter, the Department of the Interior announced its opposition to the compact.<sup>144</sup>

When the Jena subsequently reformulated its proposal, the Abramoff team lobbied against this new initiative as well.<sup>145</sup> These efforts included a February 6, 2003, e-mail from Mr. Abramoff to Susan Ralston asking her to inform Mr. Rove that the Department of the Interior was about to decide in favor of the Jena, and requesting White House assistance regarding this decision.<sup>146</sup> According to Kevin Ring, the Abramoff e-mail was forwarded to Ruben Barrales and Jennifer Farley, who followed up with Mr. Ring. In an e-mail to Mr. Abramoff, Mr. Ring described his conversation with Ms. Farley as follows:

[S]he said it is better not to put this stuff in writing in their e-mail system because it might actually limit what they can do to help us, especially since there could be lawsuits, etc.<sup>147</sup>

Two key individuals identified in the documents as White House contacts on the Jena issue, Susan Ralston and Jennifer Farley, refused to discuss this matter.<sup>148</sup> The Abramoff lobbyists involved in this issue declined the Committee's request for depositions.<sup>149</sup> Therefore it was not possible to determine whether Mr. Ring's e-mail accurately characterized Ms. Farley's

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<sup>141</sup> E-mail from Kevin Ring to Stewart Paisano (July 17, 2002) (GTG-R008283); Committee Staff Report, at 57.

<sup>142</sup> E-mail exchange between Jennifer Farley and Kevin Ring (July 12, 2002) (HOG003-2050 to 2052).

<sup>143</sup> See discussion of Committee deposition requests at part II.E. The testimony of Ms. Farley and Mr. Ring may also have been helpful in understanding a separate example. In the Greenberg Traurig documents, Mr. Ring reported to his colleagues on June 19, 2002, that he believed "White House Intergovernmental" was going to "weigh in" as the House Appropriations Committee discussed a \$3 million earmark sought by the Saginaw Chippewa tribe represented by Mr. Abramoff. Legislation ultimately signed into law by President Bush on November 10, 2003, included the earmark. E-mail from Kevin Ring to Jack Abramoff, Tony Rudy, et al. (June 19, 2002) (GTG-R006140 to 42); Committee Staff Report, at 60-61. The White House documents are silent on this issue. Ruben Barrales of the White House Office of Intergovernmental Affairs testified that he did not recall this issue. (Deposition of Ruben Barrales, at 20-21).

<sup>144</sup> Committee Staff Report, at 58-60. The documents reflected communications between Susan Ralston and Todd Boulanger in February 2002 in which she informs him she provided the materials he gave her on the Jena issue to Karl Rove, and that Mr. Rove gave them to Ken Mehlman.

<sup>145</sup> Committee Staff Report, at 59.

<sup>146</sup> E-mail exchange between Jack Abramoff and Susan Ralston (Feb. 6 and Feb. 11, 2003) (GTG-R002265). Ms. Ralston responded that the White House was not getting involved. *Id.*

<sup>147</sup> E-mail from Kevin Ring to Jack Abramoff (Feb. 7, 2003) (GTG-R002245).

<sup>148</sup> See discussion of Committee deposition requests, at part II.E.

<sup>149</sup> See discussion of Committee deposition requests, at part II.E.

instructions, why she would have believed the White House could be more helpful to Abramoff lobbyists if they avoided making a record of their communications, and whether Ms. Farley was authorized by anyone else at the White House to give Mr. Ring such instructions.

In another example, White House and Department of Justice officials told the Committee they did not have a clear recollection of events surrounding the Department of Justice's 2002 decision to release \$16.3 million in funds for the construction of a jail by the Mississippi Band of the Choctaw. The Greenberg Traurig documents indicated that in late 2001 and early 2002, Abramoff associates including Tony Rudy requested assistance from Ken Mehlman and other White House officials in pressing DOJ to release funds for construction of this jail, and that DOJ released the amount sought by the Abramoff team in early 2002.<sup>150</sup> According to Greenberg Traurig documents, the senior DOJ official responsible for release of the funds, Tracy Henke, had opposed release of the funds.<sup>151</sup>

White House documents concerning the Choctaw jail included a February 4, 2002, e-mail from Tony Rudy to Ken Mehlman thanking him for "all your help in assisting the Choctaw Indians obtain their grant from the Justice Department."<sup>152</sup> Mr. Mehlman told the Committee that he remembered conversations about releasing the Choctaw jail funds "very, very generally," and asserted "I don't recall the specifics of this request and whether there was discussion with the Department of Justice or not."<sup>153</sup>

The Committee also deposed Tracy Henke, who was Principal Deputy Assistant Attorney General at the Office of Justice Programs. Ms. Henke testified that she had no specific memory of the circumstances surrounding how the decision was made to fully fund the \$16.3 million Choctaw jail project, including which other senior DOJ officials she spoke with prior to the decision to release the funds.<sup>154</sup> Ms. Henke also did not recall having contact with any Abramoff associates about funding the Choctaw jail. Further, Ms. Henke testified that she was not aware of any White House involvement in the release of the funds.<sup>155</sup>

In her deposition, Ms. Henke was asked whether she felt any pressure from anyone in the Department of Justice in making the Choctaw jail funding decision. She said:

Pressure, no. However, when the Department of Justice is getting letters, bipartisan — I want to stress bipartisan letters — from House and Senate leadership, full House and Senate leadership and full Appropriations Committee leadership and subcommittee leadership urging the Department to do something, I don't need much more push, and for the Legislative Affairs staff to say, "we have these letters saying that," you know, "the

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<sup>150</sup> See Committee Staff Report, at 52-56.

<sup>151</sup> In a January 16, 2002, email to Jack Abramoff and his associates, Kevin Ring reported that he had spoken with Ms. Henke about the topic by phone and attempted fruitlessly to persuade her to release the funds. E-mail from Kevin Ring to Todd Boulanger, et al. (Jan. 16, 2002) (GTG-R005145-46).

<sup>152</sup> E-mail from Tony Rudy to Ken Mehlman (Feb. 4, 2002) (HOG-1208-1209).

<sup>153</sup> Transcribed Interview of Ken Mehlman, at 34-35 (Dec. 19, 2007).

<sup>154</sup> Deposition of Tracy A. Henke, at 22-24, 27-28, 30-31, 37, 39-40.

<sup>155</sup> Deposition of Tracy A. Henke, at 32, 36.

Department needs to do the following,” there would be no pressure applied, but they would provide me all that information.<sup>156</sup>

She was also asked about Greenberg Traurig documents that said she would not budge despite congressional letters:

Q: Kevin Ring says he “just got off the phone with Tracy Henke at DOJ. Geez! We are not there. She has seen letters and clearly is not impressed enough. We need to talk more later about this. OJP is going to offer Choctaw \$9 million again with the understanding that Congress may push for the remainder. Frustrating.” Do you remember that contact?

A: No.<sup>157</sup>

When asked about the ultimate basis for releasing the additional funds for the jail, Ms. Henke testified:

A variety of things could have occurred — and I apologize. This was a long time ago, so I'm not going to remember all of the details. ... As I mentioned previously, we had unobligated balances from prior year. So we now have unobligated balances from prior year. We now have current year, and we now have upcoming year funding. You couple that with the fact if — and I stress “if” — this is accurate — I do remember, once again, bipartisan letters from leadership of the House and Senate as well as from the Appropriations Committee, and if this Exhibit 3 is accurate and there was a letter [from Senators] and [Senate] colloquy, et cetera, and that information continued into the Department, I would have gone from \$9 million to \$16 million.<sup>158</sup>

The Committee obtained no evidence that the White House contacted Ms. Henke on this matter.

It appears that Ms. Henke did not have complete knowledge of the different people involved in discussing and attempting to influence the funding decision. For example, according to her testimony to the Committee, Ms. Henke was not aware of any involvement by DOJ senior official Robert Coughlin in the Choctaw grant process.<sup>159</sup> But on April 22, 2008, Mr. Coughlin pleaded guilty to improperly using his official DOJ position to assist the Abramoff team in their efforts to convince DOJ to release the \$16.3 million grant while he was receiving a stream of gifts from the lobbyists.<sup>160</sup>

Because Mr. Mehlman and Ms. Henke have limited memories of this process, because the Committee accommodated the Department of Justice’s request that the Committee refrain from deposing or interviewing Mr. Abramoff, other members of Mr. Abramoff’s lobbying team, and

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<sup>156</sup> Deposition of Tracy A. Henke, at 32.

<sup>157</sup> Deposition of Tracy A. Henke, at 35.

<sup>158</sup> Deposition of Tracy A. Henke, at 37.

<sup>159</sup> Deposition of Tracy A. Henke, at 40.

<sup>160</sup> U.S. Attorney’s Office for the District of Maryland, *Former Department of Justice Official Pleads Guilty to Conflict of Interest Regarding Lobbying Matters* (Apr. 22, 2008).

Mr. Coughlin, and because the Committee did not receive a full document production from the Justice Department, the Committee is unable to reach any definitive conclusions about whether White House officials or members of the Abramoff team influenced the Choctaw jail funding decision.

### C. Evidence of Abramoff Gifts to White House Officials

The White House documents corroborate evidence in the Greenberg Traurig documents that White House officials joined Abramoff associates for meals and were offered and accepted expensive tickets to sporting and entertainment events from the Abramoff team. However, a number of questions about Mr. Abramoff's gift offers to White House officials remain unanswered, as several White House officials identified as subjects of Abramoff team ticket and meal offers and a number of Abramoff team members refused to discuss this subject with the Committee. The Committee in many cases also could not reach any conclusion about who paid for the meals and tickets.

The acceptance of meals and gifts by White House officials would raise concerns about White House officials' compliance with federal laws regarding the solicitation and acceptance of gifts. Federal law prohibits White House officials from soliciting gifts from persons "seeking official action from, doing business with, or ... conducting activities regulated by the individual's employing entity" or from persons whose interests may be "substantially affected" by the performance of the officials' duties.<sup>161</sup> It also prohibits White House officials from accepting any unsolicited gift worth more than \$20, with a \$50 annual limit on the total value of gifts that may be received.<sup>162</sup>

An individual who violates these legal requirements can be subject to disciplinary action, including removal from office.<sup>163</sup> In addition, White House employees who earn above a salary threshold (which was \$95,652 in 2001) must report on their financial disclosure forms any gifts from a single source valued over an aggregate threshold (which was \$260 in 2001).<sup>164</sup> The falsification of these forms is subject to criminal penalties.<sup>165</sup>

#### 1. Tickets

The September 2006 Committee staff report found that Jack Abramoff and his lobbying team offered White House officials tickets to 19 sporting events and concerts.<sup>166</sup> These included

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<sup>161</sup> 5 U.S.C. § 7353.

<sup>162</sup> 5 U.S.C. § 7353; 5 C.F.R. §§ 2635.202 (a), 2635.204 (a).

<sup>163</sup> 5 C.F.R. § 2635.106; Congressional Research Service, *Memorandum on Ethics Investigations and Enforcement of Standards of Conduct in the Executive Branch* (Jan. 14, 2004).

<sup>164</sup> 5 U.S.C. Appx. §§ 101-102; 5 C.F.R. § 2634.304; *Technical Updating Amendments to Executive Branch Financial Disclosure and Standards of Ethical Conduct Regulations*, 67 Federal Register 61761 (Oct. 2, 2002) (noting an increase in the aggregate threshold from over \$260 to over \$285).

<sup>165</sup> See Standard Form 278, Executive Branch Personnel Public Financial Disclosure Report, at 11 (available online at [www.oge.gov](http://www.oge.gov)) (warning that "knowing and willful falsification of information required to be filed by section 102 of the Act may also subject you to criminal prosecution").

<sup>166</sup> Committee Staff Report, at 83-90.

tickets for floor-level seats at Washington Wizards basketball games, ice-level seats at Washington Capitals games, box seats at Baltimore Orioles games, as well as tickets to U2 and Bruce Springsteen concerts. At current prices, the face value of some tickets exceeded \$300.<sup>167</sup>

According to the Greenberg Traurig documents, the White House official offered the most tickets to entertainment and sporting events from the Abramoff team was Susan Ralston. Ms. Ralston requested tickets from Mr. Abramoff and his colleagues at least seven times. Mr. Abramoff provided her with tickets to nine events, including Wizards, Capitals, and Orioles games as well as concerts by Bruce Springsteen and Andrea Bocelli.<sup>168</sup> Other White House officials the Greenberg Traurig documents indicated received ticket offers from the Abramoff team included:

- Jennifer Farley, Associate Director of the Office of Intergovernmental Affairs, who was provided with tickets to three events, two Orioles games and a Yanni concert;<sup>169</sup>
- Matt Kirk, Special Assistant to the President in the Office of Legislative Affairs, who was provided with tickets to a Wizards game and to the NCAA basketball tournament;<sup>170</sup> and
- Karl Rove, Senior Advisor to the President, who was provided with three tickets to the NCAA basketball tournament on March 17, 2002. Mr. Abramoff also provided his suite to Mr. Rove's class of College Republicans for a November 9, 2002, Washington Capitals game.<sup>171</sup>

The documents the White House provided the Committee corroborate that White House officials were offered and accepted tickets. Of the 19 instances described in the September 2006 report, there is corroboration in the White House documents or in e-mails from White House officials of 15 offers of tickets to events. For example, the White House e-mails provide additional confirmation that Susan Ralston was provided with tickets to see Andrea Bocelli and the Washington Capitals, among other events.<sup>172</sup> In addition to confirming examples of the ticket offers described in the Greenberg Traurig documents, the White House documents reveal six additional instances in which White House officials were offered tickets by the Abramoff team:

- According to the e-mails, on January 27, 2004, Ms. Ralston requested two tickets for a Sarah Brightman concert, which Jack Abramoff approved and sent to her the next day.<sup>173</sup>

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<sup>167</sup> *Id.* at 83, 89.

<sup>168</sup> *Id.* at 85-87.

<sup>169</sup> *See id.* at 88.

<sup>170</sup> *See id.* at 88.

<sup>171</sup> *See id.* at 84-85.

<sup>172</sup> E-mail from Allison Bozniak to Susan Ralston (June 12, 2002)(HOG003-1933 to 1935) (notifying Ralston that she has tickets to Bocelli); E-mail exchange between Susan Ralston, Jack Abramoff, Holly Bowers, and Rebekah McDonald (Nov. 22 to Nov. 26, 2002) (HOG003-2490 to 2494) (arranging for Susan Ralston to receive tickets for a Nov. 27, 2002, Washington Capitals game).

<sup>173</sup> E-mail exchange between Susan Ralston and Jack Abramoff (Jan. 27, 2004) (HOG003-03062); E-mail exchange from Holly Bowers to Susan Ralston (Jan. 28, 2004) (HOG003-03063).

Ms. Ralston thanked Mr. Abramoff effusively the day after the concert, stating that the concert “was special, and I am very grateful.”<sup>174</sup>

- The e-mails indicate that Jennifer Farley was provided with two tickets in the suite for the NCAA basketball tournament on March 15, 2002. That day, Kevin Ring wrote to Allison Bozniak, Jack Abramoff’s assistant requesting “two tickets for tonight’s games to be left for Jennifer Farley” at the MCI Center. After receiving confirmation that they were available, he wrote to Ms. Farley, “You are all set. Go to will call booth for suites.”<sup>175</sup>
- The documents indicate that the Abramoff team twice offered tickets to Carlos Bonilla, Special Assistant to the President for Economic Policy. On October 18, 2001, Kevin Ring sent an unknown number of tickets for an unknown event to Mr. Bonilla by courier.<sup>176</sup> In addition, in response to an offer from Kevin Ring, Mr. Bonilla requested and was provided with two tickets to sit in the Abramoff suite for the November 20, 2001, Washington Wizards game.<sup>177</sup>
- The documents indicate that Tony Rudy’s assistant sent two tickets to the September 1, 2001, Baltimore Orioles game to Brett Loper, who was working at the Office of Management and Budget.<sup>178</sup>
- An e-mail produced by the White House indicates that Matthew Kirk was provided with an unknown number of tickets to a game on Saturday, December 13, 2003.<sup>179</sup>

In addition, e-mails provided to the Committee indicate that Peter Rowan, former deputy director for legislative affairs at the White House, twice wrote to Tony Rudy requesting tickets to sporting events. In one case, Mr. Rudy reported that no tickets were available. In another case, it is unclear if Mr. Rowan received the tickets.<sup>180</sup>

After Susan Ralston, Jennifer Farley in the Office of Intergovernmental Affairs was the next biggest recipient of offers of tickets from the Abramoff team. According to the documents provided to the Committee, she was offered tickets to five events.<sup>181</sup> On two occasions, the

<sup>174</sup> E-mail exchange between Susan Ralston and Jack Abramoff (Jan. 30, 2004) (HOG003-03066).

<sup>175</sup> E-mail exchange between Kevin Ring and Allison Bozniak forwarded to Jennifer Farley (Mar. 15, 2002) (HOG003-01515 to 01517).

<sup>176</sup> E-mail from Kristin Geisler, Greenberg Traurig, to Carlos Bonilla (Oct. 18, 2001) (HOG003-3608).

<sup>177</sup> E-mail exchange between Kevin Ring and Carlos Bonilla (Nov. 19, 2001) (HOG003-03614 to 03615).

<sup>178</sup> E-mail from Kristin Geisler, Greenberg Traurig, to Brett Loper (Aug. 29, 2001) (HOG003-003473).

<sup>179</sup> E-mail from Shawn Vasell to Matthew Kirk (Dec. 8, 2003) (HOG003-02973) (stating, “Please be in contact with Holly [Bowers, Jack Abramoff’s assistant] to obtain the tickets for Sat. See you at the game”). According to ESPN.com, the Washington Capitals had a game at the MCI Center on December 13, 2003 (<http://sports.espn.go.com/nhl/teams/schedule?team=was&year=2004>).

<sup>180</sup> E-mail exchange between Tony Rudy and Peter M. Rowan (Apr. 12, 2001) (HOG003-00470); E-mail exchanges between Tony Rudy and Peter M. Rowan (Feb. 22, 2002) (HOG003-01440 to HOG003-01443).

<sup>181</sup> The 2006 staff report lists three of these: An April 1, 2002 Orioles game, a July 19, 2002 Orioles game, and an April 11, 2002 Gianni concert (See Committee Staff Report, at 88). In addition, Jennifer Farley was offered tickets to a March 15, 2002 NCAA basketball tournament (E-mail exchange between Kevin Ring and Allison Bozniak forwarded to Jennifer Farley (Mar. 15, 2002) (HOG003-01515 to 01517)); and a February 2003 Wizards game (See E-mail from Kevin Ring to Jack Abramoff (Feb. 25, 2003) (GTG-R004485 to 4486)).

documents show that she turned the offers down.<sup>182</sup> In some of the communications provided to the Committee, Ms. Farley refers to tickets as “fruit.” On December 12, 2002, Ms. Farley asks Mr. Ring, “Do you have any kind of fruit tonight?” Mr. Ring responds, “No games tonight.”<sup>183</sup> In another e-mail exchange about an issue of interest to one of Mr. Ring’s clients, Ms. Farley stated, “Let me know about the fruit in the middle of the basket.” Mr. Ring responded, “The fruit is going to happen. Just trying to make sure it is picked on the right day.”<sup>184</sup>

The Committee sought to question Ms. Farley about the tickets in her deposition. She did not answer these questions and indicated that she would invoke her Fifth Amendment right against self incrimination if compelled to respond.<sup>185</sup>

Two other White House officials also refused to respond to Committee questions regarding gifts from Mr. Abramoff and his associates: Susan Ralston and Matt Kirk, the former Deputy Assistant to the President for Legislative Affairs. Both indicated that they would assert their Fifth Amendment right against self incrimination if compelled to answer questions.<sup>186</sup>

The documents indicate that on three occasions, White House officials did not accept the offers of tickets. For example, in a November 2001 e-mail exchange provided to the Committee by the White House, Matt Schlapp responded to Tony Rudy’s offer of hockey tickets by telling him, “you are a good man, but I need to be careful with all the ethics rules on this end of the street, and I’m way too broke.”<sup>187</sup> In addition, the documents show that on one occasion, a White House official paid for the tickets. As discussed in the 2006 report, Susan Ralston told Jack Abramoff that Karl Rove would need to pay for his own tickets to NCAA championship basketball in 2002.<sup>188</sup> As part of its document production, the White House provided the Committee with a copy of a check for \$150 from Mr. Rove to Mr. Abramoff in payment for these tickets.<sup>189</sup>

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<sup>182</sup> Jennifer Farley turned down the February 2003 Wizards tickets (See E-mail from Kevin Ring to Jack Abramoff (Feb. 26, 2003) (GTG-R005096) (“Jennifer Farley just called and said that she NOW cannot use the tickets for next Tuesday”); E-mail from Kevin Ring to Jennifer Farley (Feb. 20, 2003) (GTG-R001924) (“All set to use the fruit on a new date?”); E-mail from Jennifer Farley to Kevin Ring (Feb. 25, 2003) (GTG-R004656) (“thanks for the fruit basket idea. Unfortunately, I will not be able to accept it. Your thanks is enough.”)). She also turned down the tickets to the July 2002 Orioles game, writing to Kevin Ring and copying her boss at the time, “Kevin, I will not be able to accept these tickets from you. Thank you for your gracious offer.” (E-mail exchange between Kevin Ring and Jennifer Farley with a copy to Deborah Spagnoli (July 17-19, 2002) (HOG R003-2068 to 2071). In her deposition, Ms. Farley told the Committee that she reported to Ms. Spagnoli (Deposition of Jennifer Farley, at 9).

<sup>183</sup> E-mail exchange between Jennifer Farley and Kevin Ring (Dec. 12, 2002) (HOG R003-02540 to 2543).

<sup>184</sup> E-mail exchange between Jennifer Farley and Kevin Ring (Dec. 3, 2002) (HOG R003-02508 to 2509).

<sup>185</sup> Deposition of Jennifer Farley, at 51.

<sup>186</sup> Deposition of Susan Ralston, at 8; Telephone conversation between R. Christopher Cook, Jones Day, counsel for Matthew Kirk, and majority staff (Oct. 1, 2007, and May 21, 2008).

<sup>187</sup> E-mail exchange between Tony Rudy and Matt Schlapp (Nov. 28, 2001) (HOG R003-01045 to 1046). Matt Schlapp also testified that he had never accepted meals or tickets from the Abramoff team. (Deposition of Matt Schlapp, at 130-131).

<sup>188</sup> Committee Staff Report, at 85.

<sup>189</sup> HOG R003-00216.

During a deposition, the Committee asked Padgett Wilson, a junior member of the Abramoff team, about what he knew regarding payment for tickets. He said that he “did not know then the structure of how” Mr. Abramoff paid for his tickets.<sup>190</sup> He was asked if, when he provided tickets to others, they ever offered to reimburse him. He responded: “Not that I recall.”<sup>191</sup> He was then asked if, to his knowledge, anyone ever offered to reimburse him or Mr. Abramoff for the cost of tickets. He responded: “I don’t recall somebody ever doing that.”<sup>192</sup> When asked specifically if he remembered “getting a reimbursement request for any tickets that you provided to administration officials,” he responded, “No.”<sup>193</sup>

One question raised by the Greenberg Traurig documents was whether former White House Political Director Ken Mehlman accepted tickets to sit in Jack Abramoff’s suite for a U2 concert on June 15, 2001. Based on Greenberg Traurig documents indicating the Abramoff team had designated tickets for Mr. Mehlman for that event, in October 2006, Rep. Waxman wrote to Mr. Mehlman with specific questions about whether Mr. Mehlman had accepted tickets to this concert, and if so, why he had not disclosed this gift in his financial disclosure forms.<sup>194</sup> In his interview with the Committee, Mr. Mehlman said that he did not respond to this letter on the advice of his attorney.<sup>195</sup> Mr. Mehlman also indicated that he did not recall having accepted tickets from the Abramoff team to the June 15, 2001, U2 concert, and said, “My recollection is that I didn’t attend. I don’t think I attended.” He further stated: “I’ve been to a lot of concerts. I’ve been to U2 concerts. ... I don’t remember going to that concert.”<sup>196</sup>

Abramoff associate Padgett Wilson was listed in the Greenberg Traurig documents as a potential attendee of the June 15, 2001, U2 concert. He testified that he recalled having gone to a U2 concert and sitting in the Abramoff box. According to his deposition:

Q: Have you met Ken Mehlman before?

A: I don't think so.

Q: Would you recognize him if you saw him?

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<sup>190</sup> Deposition of Padgett Wilson, at 60.

<sup>191</sup> Deposition of Padgett Wilson, at 60.

<sup>192</sup> Deposition of Padgett Wilson, at 61.

<sup>193</sup> Deposition of Padgett Wilson, at 64.

<sup>194</sup> Letter from Rep. Henry A. Waxman to Kenneth Mehlman (Oct. 16, 2006).

<sup>195</sup> Transcribed Interview of Ken Mehlman, at 67-68, 71 (Dec. 19, 2007).

<sup>196</sup> *Id.* at 69-70, 73. On June 3, 2008, Mr. Mehlman’s attorney wrote the Committee a letter on this matter, which stated:

When asked during his voluntary interview late last year if he had attended the concert, Mr. Mehlman repeatedly stated that he had no memory or recollection of having done so and did not think that he had gone to the concert. In his express desire to be precise in his answers, Mr. Mehlman, when asked about an evening now seven years ago, he repeatedly stated that he did not recall having attended and did not think that he had gone. In addition, my own efforts have led me to conclude that Mr. Mehlman did not attend that concert as Mr. Abramoff’s or Greenberg’s guest.

Letter from Steven Ross to Chairman Henry A. Waxman (June 3, 2008).

A: He's a pretty recognizable figure, yes.

Q: But you don't recall if you saw him there?

A: I don't recall, no.<sup>197</sup>

## 2. Meals and Drinks

According to the September 2006 staff report, the Greenberg Traurig e-mails and billing records indicated that Abramoff team members met with White House officials over meals or drinks 186 times. According to the Greenberg Traurig documents, Mr. Abramoff billed clients for these drinks and meals on 156 occasions. In many instances, according to the billing records, the meals occurred at expensive Washington restaurants such as Oceanaire, Bistro Bis, and the Oval Room.

In most cases, the documents and billing records did not provide any evidence as to whether the White House officials paid for their share of the meals and drinks. As the September 2006 staff report observed:

There is evidence to suggest that at least some White House officials did pay for themselves. In an exchange between Kevin Ring and Jennifer Farley attempting to set up lunch, Ring wrote, "Lunch Friday? ... Same place? ... I know you insist on paying your own meal." There is also evidence to suggest that some White House officials were offered free meals or drinks. In a December 12, 2002, e-mail to his staff at Signatures, Abramoff explicitly instructed the staff to "comp" dinner for Matt Kirk in the White House Office of Legislative Affairs and his father.<sup>198</sup>

The White House documents provide corroboration for 15 meetings between White House officials and Abramoff lobbyists over meals and drinks, including 11 that were billed to Mr. Abramoff's clients. One hundred and forty-five of the billed meals and drinks are not confirmed in the White House documents. The documents from the White House do not answer whether White House officials paid for meals or drinks with Mr. Abramoff or his associates.

The White House documents contain evidence that Mr. Abramoff's associates were not always accurate in their billing representations. For example, Abramoff associate Shawn Vasell billed several clients for a lunch at the Oceanaire with White House domestic policy staff and other government officials on July 17, 2001.<sup>199</sup> The White House e-mails indicate this was a dinner, not a lunch, and that it was with Susan Ralston and a member of the White House Office of Legislative Affairs, not the domestic policy staff.<sup>200</sup>

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<sup>197</sup> Deposition of Padgett Wilson, at 61-62.

<sup>198</sup> Committee Staff Report, at 80.

<sup>199</sup> Choctaw/Coushatta Billing Records (July 17, 2001) (GTG004061-ACCT-CW and GTG002426-ACCT-CS).

<sup>200</sup> See E-mail exchange between Shawn Vasell and Susan Ralston (July 11, 2001)(HOG003-00726 to 729) (planning for family tour of the White House followed by dinner at Oceanaire); E-mail from Matthew Kirk to Shawn Vasell (July 18, 2001) (HOG003-00745) (offering to pay for his share of a "great dinner," "that was excellent and I know it wasn't cheap"); Greenberg Traurig, Expense Report (July 30, 2001)(GTG-R019458 to

#### D. The White House Failed to Provide Public Accountability Regarding its Relationship with Jack Abramoff

The investigation has also revealed that the White House conducted an inadequate and incomplete internal review before making public representations minimizing Mr. Abramoff's access to White House officials. When Mr. Abramoff pleaded guilty, the White House spokesman responded that he had "checked" into Mr. Abramoff's contacts with the President and White House staff and discovered that there were "only a couple of holiday receptions that he attended, and then a few staff-level meetings on top of that."<sup>201</sup> After the Committee issued its first report raising more specific concerns about Mr. Abramoff and his team's contact with White House officials, White House spokesman Tony Snow assured the public that the White House was conducting an internal investigation based on the allegations in the report, and that when the investigation was completed he would disclose the results publicly.<sup>202</sup> Four days later, the White House deputy press secretary explained that the "thorough" review had been completed, and had resulted in the resignation of Susan Ralston, an aide to Karl Rove.<sup>203</sup>

However, the Committee's investigation has revealed that before making these public statements, the White House never questioned five former White House officials who were key points of contact for the Abramoff team. For example, Mr. Schlapp, who testified that Mr. Abramoff was a resource for him and was known and respected at the White House while he was serving there, did not recall any consultation from White House officials before they made public statements about Mr. Abramoff's minimal contacts with the White House.<sup>204</sup> The White House also did not contact Ms. Kladakis in the weeks or months following Mr. Abramoff's plea.<sup>205</sup> In addition, neither Mr. Mehlman nor Mr. Barrales recalled being contacted by the White House after the Committee's first report was issued.<sup>206</sup> Ms. Farley testified that she did not recall the White House ever reaching out to her to discuss her contact with Mr. Abramoff.<sup>207</sup>

This evidence suggests that the White House failed to conduct even the most basic internal investigation of the White House relationship with Mr. Abramoff before making public statements characterizing the connection between Mr. Abramoff and the White House.

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019466) (indicating that Shawn Vasell's only meal at Oceanaire on July 17, 2001, was paid for at 11:11 p.m.). Nearly two years later, on April 22, 2003, Mr. Vasell billed his clients for a dinner at "Signatures Restaurant with White House Political Director" that White House e-mails indicate was a dinner Mr. Vasell had with Susan Ralston, not the White House Political Director. Agua Caliente Billing Records (Apr. 22, 2003) (GTG004617-ACCT-AC); E-mail exchange between Susan Ralston and Shawn Vasell (Apr. 21-22, 2003) (HOG003-2649 to 2650).

<sup>201</sup> White House, *Press Briefing by Scott McClellan* (Jan. 17 2006).

<sup>202</sup> White House, *Tony Snow Press Briefing* (Oct. 2, 2006).

<sup>203</sup> *White House Aide with Ties to Lobbyist Resigns*, Associated Press Worldstream (Oct. 6, 2006).

<sup>204</sup> Deposition of Matt Schlapp, at 39.

<sup>205</sup> Deposition of Monica Kladakis, at 29.

<sup>206</sup> Transcribed Interview of Ken Mehlman, at 75-76 (Dec. 19, 2007). Deposition of Ruben Barrales, at 60.

<sup>207</sup> House Committee on Oversight and Government Reform, Deposition of Jennifer Farley, at 58.

### III. CONCLUSION

The documents and testimony obtained by the Committee in this investigation confirm that Mr. Abramoff and his associates had access and influenced some actions at the White House. While the Committee's investigation was limited by potential Fifth Amendment claims by several White House officials and Abramoff lobbyists and the Committee's accommodation of Justice Department concerns, the new documents and testimony show that Mr. Abramoff had personal contact with President Bush, that high-level White House officials held Mr. Abramoff and his associates in high regard and solicited recommendations from Mr. Abramoff on policy matters, and that Mr. Abramoff and his associates influenced some White House actions. The new information obtained by the Committee also corroborates findings of the Committee's September 2006 staff report that the Abramoff team offered White House officials expensive tickets and meals, at least some of which were accepted. In addition, the Committee's investigation shows that the White House failed to provide public accountability regarding its relationship with Jack Abramoff.